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## United States Department of Agriculture,

### BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

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## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8251 to 8300.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 19, 1921.]

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### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**S251. Misbranding of butter. U. S. \* \* \* v. Joseph W. Tate et al. (Centralia Butter Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10049. I. S. Nos. 10010-p, 10022-p, 6358-r, 6360-r.)**

On October 2, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph W. Tate, Charles W. Witwer, and Joseph E. Hefter, copartners, trading as the Centralia Butter Co., Centralia, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about July 12, 1918, June 18, 1918, May 22, 1918, and July 16 or 17, 1918, from the State of Illinois into the State of Missouri, of quantities of an article, labeled in part, in the first 3 shipments, "Bermuda Gold Butter," and in the last shipment, "Clover Leaf Butter," which in each shipment was misbranded.

Examinations of samples of the article from the several shipments made by the Bureau of Chemistry of this department showed that the average weight of the contents of the cartons was 15.1 ounces, 15.58 ounces, 15.47 ounces, and 14.56 ounces, respectively, or a shortage in weight of 5.6 per cent, 2.6 per cent, 3.33 per cent, and 9 per cent, respectively.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One pound," or "One pound net," borne on the packages containing the article, regarding it, was false and misleading in that it represented that each of the packages contained 1 pound net or 1 pound of the article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the packages contained 1 pound net, or 1 pound of the article, as the case might be, whereas, in truth and in fact, each of said packages did not contain 1 pound net or 1 pound of the article, as the case might be, but did

contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 13, 1919, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**§252. Misbranding of Methylax Blue Pearls. U. S. \* \* \* v. 2½ Dozen Bottles of Methylax Blue Pearls. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10627. I. S. No. 13289-r. S. No. E-1552.)**

On June 18, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2½ dozen bottles of an article, labeled in part "Methylax Blue Pearls Pfeiffer Chemical Co. New York St. Louis," remaining in the original unbroken packages at Erie, Pa., alleging that the article had been shipped on or about April 16, 1919, by William R. Warner & Co., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the capsules contained cubebs, methylene blue, and probably copaiba and kava-kava.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the bottle and wrapper, regarding the curative and therapeutic effects of the article, were false and fraudulent since it did not contain any ingredient or combination of ingredients capable of producing the effects claimed: "Methylax Blue Pearls \* \* \* for the treatment of gonorrhoea (and its complications) and catarrhal conditions of the urinary tract. Helps to stop mucous discharges. Useful as a urinary antiseptic."

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**§253. Misbranding of Tisit. U. S. \* \* \* v. 1½ Dozen Packages of Tisit (Combination). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10638. I. S. No. 13290-r. S. No. E-1553.)**

On June 18, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ dozen packages of Tisit (Combination), contained in the original unbroken packages, at Erie, Pa., alleging that the article had been shipped on or about May 19, 1919, by the S. Pfeiffer Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample by the Bureau of Chemistry of this department showed that the article consisted of 2 preparations, an injection and capsules for internal use. The injection consisted of an aqueous solution containing zinc sulphate, thymol, berberine, and glycerin, and the contents of the capsules consisted essentially of copaiba and oil of cassia.



Misbranding was alleged in substance in the libel for the reason that certain statements appearing on the bottle labels, cartons, and accompanying circulars and leaflets, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented it to be a reliable remedy for genito-urinary disorders, as effective for the treatment of gonorrhea (clap), for comparatively harmless forms of urethral inflammation, and as a cure for gonorrhea and gleet, when, in truth and in fact, said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8254. Adulteration and misbranding of Big G. U. S. \* \* \* v. 1 Gross Bottles of Big G. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10658. I. S. No. 16532-r. S. No. E-1575.)

On June 23, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 gross bottles of Big G, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped on or about January 24, 1919, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel for the reason that it was labeled as being a compound of borated goldenseal, whereas, in truth, it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding was alleged in substance for the reason that certain statements appearing on the packages, cartons, and bottles, and in the booklets accompanying the article, regarding the curative and therapeutic effect thereof, falsely and fraudulently represented that it contained borated goldenseal, and that it was effective as a remedy, treatment, and cure for catarrh, hay fever, and inflammations, irritations, or ulcerations of the mucous membranes or linings of the nose, throat, stomach, and urinary organs, as an effective treatment for unnatural discharges of the urinary organs, inflamed, ulcerated itching conditions of the skin and mucous membrane or lining of the mouth, nose, throat, eye, and ear, for chronic catarrh of the head, conjunctivitis, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhea, gleet, chronic gonorrhea, stricture, folliculitis, prostatitis, as a preventive of said diseases and afflictions, and as a remedy and treatment for leucorrhea, whites, catarrh of the vagina, gonorrhea in women, and certain other venereal diseases, whereas, in truth and in fact, said product did not contain borated goldenseal, and did not contain ingredients and medicinal agents effective as a remedy, treatment, or cure of the said diseases, ailments, affections, disorders, and maladies.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S255. Misbranding of Jax Capsules and Jax Antiseptic Injection. U. S. \* \* \* v. 3 Dozen Boxes of Jax Capsules and 3 Dozen Bottles of Jax Antiseptic Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10675. I. S. Nos. 16538-r, 16539-r. S. No. E-1587.)**

On June 30, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of  $\frac{3}{4}$  dozen boxes of Jax capsules and  $\frac{3}{4}$  dozen bottles of Jax antiseptic injection, remaining unsold in the original packages at Macon, Ga., alleging that the articles had been shipped on or about May 15, 1919, by the Tropical Co-Operative Co., Jacksonville, Fla., and transported from the State of Florida into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of powdered cubebs, balsam of copaiba, and cornstarch, and that the injection consisted of a solution containing phenol, thymol, menthol, boric acid, and zinc sulphate.

Misbranding of the capsules was alleged in substance in the libel for the reason that they contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for them on the box label and in the accompanying circular as follows, to wit, (box label) "Jax Capsules, \* \* \* a highly efficient treatment for gonorrhœa and gleet and other diseases of the bladder and urinary organs," (circular) "\* \* \* in the treatment of gonorrhœa \* \* \* in chronic or subacute inflammation of the genito-urinary tract \* \* \* guaranteed not to cause stricture."

Misbranding of the injection was alleged in substance in the libel for the reason that it contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it on the bottle label and in the accompanying circular as follows, to wit, (bottle label) "\* \* \* for gonorrhœa and gleet guaranteed not to cause stricture," (circular) "\* \* \* (the international treatment) efficient remedy for the disease (gonorrhœa and gleet)."

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S256. Misbranding of Rid-It. U. S. \* \* \* v. 6 Dozen Packages of Rid-It. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10693. I. S. No. 15019-r. S. No. E-1559.)**

On or about June 25, 1919, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of Rid-It, remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., East St. Louis, Ill., and transported from the State of Illinois into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, an injection and capsules for internal use. The injection consisted of a solution containing zinc sulphate, alum, magnesium sulphate, thymol, glycerin, and a yellow coal-tar color. The contents of the capsules consisted essentially of salol, oils of juniper, sassafras, and turpentine, a fixed oil, and red coloring matter.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part, "Rid-It The Modern Remedy To Rid General Gleet and Gonorrheal Conditions," and for the further reason that the accompanying wrapper contained in part the following: "Rid-It for the treatment of Gonorrhea. (Clap.) \* \* \* Rid-It Caps To Rid Gonorrhea & Gleet \* \* \* for Catarrh of the Bladder and all other discharges \* \* \* Pains in the Back, Loins and Side. Cloudy or Scalding Urine, and all General Kidney Disorders. \* \* \* A Most Valuable Remedy for The Kidneys \* \* \* A Most Effective and Trustworthy Diuretic Particularly Serviceable in the Treatment of Gonorrhea and Gleet, Rheumatic pains when due to uric acid, Urinary troubles, such as scanty urine, or too frequent desire to urinate, Brick Dust or sediment, highly colored urine, burning sensation, irritation of the bladder, backache or weak back, constant thirst, restlessness, pain in the groin or back or general gleet conditions. Rid-It Caps invigorate the functional activity of the Kidneys and is invariably beneficial in chronic valvular affections," whereas the above statements were false and fraudulent as the article, used singly or in combination, did not contain any ingredient or combination of ingredients capable of producing the above effects claimed.

On January 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8257. Misbranding of Grimault & Co's. Injection. U. S. \* \* \* v. 22 Bottles of Grimault & Co's. Injection. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10734. I. S. No. 13450-r. S. No. E-1610.)

On July 3, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 bottles of Grimault & Co's. injection, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about November 10, 1917, by E. Fougere & Co., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of copper sulphate and plant infusion, probably matico.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing on the wrappers, bottle labels, and circulars, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented it to be (in circular) effective in the treatment of chronic and acute discharges from the urethra, that when taken internally it acts especially well on all muco-purulent discharges, as a treatment in gonorrhea, discharges from the female generative organs, whether merely whites or of a greenish-yellow color, that under its influence recent or old blennorrhagic discharges disappear rapidly, that it is effective in cases of blennorrhagia and gonorrhea for men, and in cases of catarrh, leucorrhea, flowers, and losses in women, and as a prophylactic and preservative hygiene, when, in truth and in fact, it was not.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**8258. Misbranding of Malydor Injection. U. S. \* \* \* v. 6½ Dozen Bottles of Malydor Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10738. I. S. No. 13442-r. S. No. E-1609.)**

On July 3, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6½ dozen bottles of drugs, labeled in part "Injection Malydor \* \* \* Sole Proprietors Malydor Mfg. Co. Lancaster, Ohio," alleging that the article had been shipped on or about October 8, 1918, by the Williams Mfg. Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing a zinc salt, boric acid, phenol, glycerin, acetanilid, and a trace of alkaloids.

Misbranding was alleged in substance in the libel for the reason that certain statements appearing on the cartons and accompanying circulars, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented it to be (on carton) an excellent remedy for diseases of the orificial passages as gonorrhea, gleet, and leucorrhea and (on accompanying circular) an excellent remedy for diseases of the orificial passages as gonorrhea, gleet, leucorrhea, piles, as a syphilitic treatment locally, for chancroids, soft chancroids, and for catarrh and catarrhal conditions prevailing at the same time with gonorrhea, whereas, in fact, the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8259. Misbranding of G. S. U. S. \* \* \* v. 72 Bottles of G. S. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11571. I. S. No. 12084-r. S. No. C-1666.)**

On December 29, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 72 bottles, more or less, of G. S., alleging that the article had been shipped by L. M. Gross, Little Rock, Ark., on or about October 27, 1919, and transported from the State of Arkansas into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles were labeled in part, "G. S. \* \* \* Useful in Rheumatism, Neuralgia, Indigestion, Dyspepsia, Biliousness, Constipation, Malaria, Chills, Nervousness, Stomach, Liver, Kidney and Bladder disease in their various forms \* \* \*," and the cartons were labeled in part, "G. S. \* \* \* Useful in Rheumatism, Indigestion, Biliousness, Malaria, Nervousness, Neuralgia, Dyspepsia, Constipation, Chills, Stomach, Liver, Kidney and Bladder Disease in their various forms. \* \* \* Useful in Rheumatism, Malaria, Constipation, Blood, Liver and Kidney Diseases."

Analysis of a sample by the Bureau of Chemistry of this department showed that the article consisted of a solution containing potassium iodid, unidentified plant extractives, and a small amount of alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the above statements on the cartons and bottles, regarding the curative and therapeutic effects of said preparation, were false and fraudulent and calculated

to mislead and deceive the purchaser thereof, since said article and drug contained no ingredients or combination of ingredients capable of producing the effects claimed.

On June 4, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S260. Misbranding of B-I-F Capsules. U. S. \* \* \* v. 3 Dozen Packages of B-I-F Capsules. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10412. I. S. No. 15740. S. No. E-1448.)

On or about May 24, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of B-I-F capsules, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped on or about December 13, 1918, by the Henry S. Wampole Co., Baltimore, Md., and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of balsam of copaiba and oil of cubebs.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing on the cartons and circulars, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented it to be a valuable remedy for clap, gonorrhea, gleet, or any discharge from the urinary organs, that it has a tendency to prevent strictures, and aids in eliminating pus-like discharges, as a safe and speedy remedy for the relief of clap, gonorrhea, gleet, or any discharges from the urinary organs, and that it was warranted to relieve clap of long standing in a few days, leaving the parts in a healthy condition, when, in truth and in fact, said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S261. Misbranding of "G Zit" Complete-Stearns. U. S. \* \* \* v. 3 Dozen Packages, \$11 Size, and 3 Dozen Packages, \$6 Size, of "G Zit" Complete-Stearns. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10740. I. S. No. 13292-r. S. No. E-1632.)

On July 8, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages, \$11 size, and 3 dozen packages, \$6 size, of "G Zit" Complete-Stearns, alleging that the article had been shipped on or about March 13, 1919, by Stearns-Hollinshead Co., Portland, Oreg., and transported from the State of Oregon into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, bougies and antiseptics. The bougies consisted of silver nucleinate in a cacao butter base, and the antiseptics consisted of capsules containing essentially copaiba, cubebs, and a sulphurated fixed oil.

Misbranding of the article was alleged in substance in the libel in that the following statements appearing on the bottles and in the circulars and booklets, regarding the curative and therapeutic effects of the article, were false and fraudulent in that said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed: "For gonorrhœa use Zit Complete Stearns, \* \* \* antiseptic acts on all germ life that may be lodged in the bladder. \* \* \* for gonorrhœal patients to cure \* \* \* prevent sexual diseases \* \* \*. This medicine does destroy the germ of gonorrhœa."

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S262. Adulteration of milk. U. S. \* \* \* v. William A. Simpson. Plea of nolo contendere. Fine, \$100. (F. & D. No. 444-c.)**

On September 3, 1918, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against William A. Simpson, Washington, D. C., alleging that on August 22, 1918, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained added deleterious ingredients, to wit, paper and grease and foreign matter, which might have rendered the article injurious to health.

On March 18, 1919, a plea of nolo contendere to the information was entered by the defendant, and the court imposed a fine of \$100.

**E263. Adulteration of milk. U. S. \* \* \* v. William A. Simpson. Plea of nolo contendere. Fine, \$100. (F. & D. No. 445-c.)**

On September 4, 1918, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against William A. Simpson, Washington, D. C., alleging that on August 24, 1918, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained added deleterious ingredients, to wit, paper, grease, insects, and foreign matter, which might have rendered the article injurious to health.

On March 18, 1919, a plea of nolo contendere to the information was entered by the defendant, and the court imposed a fine of \$100.

**S264. Adulteration of milk. U. S. \* \* \* v. William A. Simpson. Plea of nolo contendere. Fine, \$100. (F. & D. No. 446-c.)**

On September 3, 1918, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against William A. Simpson, Washington, D. C., alleging that on August 23, 1918, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained added deleterious ingredients, to wit, dirt, flies, and foreign matter, which might have rendered the article injurious to health.

On March 18, 1919, a plea of nolo contendere to the information was entered by the defendant, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*



**S265. Adulteration of milk. U. S. \* \* \* v. Daniel W. Robinson. Collateral of \$15 forfeited. (F. & D. No. 500-c.)**

On August 16, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Daniel W. Robinson, Washington, D. C., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on July 19, 1919, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained an added substance, to wit, water, which lowered its quality and strength.

On August 16, 1919, the defendant having failed to appear, the \$15 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S266. Misbranding of bread. U. S. \* \* \* v. Corby Baking Co. Plea of guilty to counts 1, 3, 5, 7, 9, 11, 13, and 15. Remaining counts nolle prossed. Fine, \$2,800. (F. & D. No. 516-c.)**

On May 24, 1920, the Grand Jurors of the United States of America in and for the District of Columbia returned an indictment in 16 counts against the Corby Baking Co., a corporation, Washington, D. C., charging that on April 15, April 16, April 19, and April 20, 1920, said defendant corporation, in violation of the Food and Drugs Act, as amended, unlawfully did manufacture within the District of Columbia and did sell and offer for sale within the District aforesaid, a certain article of food, to wit, bread, each and every loaf thereof being contained in a sealed wrapper bearing the statements, designs, and devices among other things of the tenor following, that is to say, "Corby's Large Loaf 100% Pure Net Weight 1½ lbs.," which was misbranded.

Misbranding of the article was charged in substance in the indictment for the reason that the following statement, to wit, "Net Weight, 1½ lbs.," borne on each of the wrappers containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of the wrappers contained 1½ pounds of bread, and for the further reason that it was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof into the belief that each and every wrapper thereof contained 1½ pounds of bread, whereas, in truth and in fact, each of said wrappers did not contain 1½ pounds of bread, but did contain a less amount.

On June 4, 1920, a plea of guilty to counts 1, 3, 5, 7, 9, 11, 13, and 15 of the indictment was entered on behalf of the defendant corporation, and the court imposed a fine of \$2,800. The remaining counts of the indictment charging misbranding in violation of the Net Weight Amendment to the Food and Drugs Act were nolle prossed.

E. D. BALL, *Acting Secretary of Agriculture.*

**S267. Adulteration of eggs. U. S. \* \* \* v. Morris & Co., a Corporation. Collateral of \$200 forfeited. (F. & D. No. 519-c.)**

On September 19, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Morris & Co., a corporation doing business in the District of Columbia, alleging that on August 21, 1919, the said defendant did offer for sale and sell at the District

aforsaid, in violation of the Food and Drugs Act, a quantity of eggs which were adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On September 19, 1919, the defendant corporation having failed to make an appearance, the \$200 collateral that had been deposited by it to insure its appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S268. Adulteration of eggs. U. S. \* \* \* v. Meyer Shuman. Collateral of \$25 forfeited. (F. & D. No. 520-c.)**

On September 30, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforsaid an information against Meyer Shuman, Washington, D. C., alleging that on September 4, 1919, the said defendant did offer for sale and sell at the District aforsaid, in violation of the Food and Drugs Act, a quantity of eggs which were adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On September 30, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S269. Adulteration of minced ham. U. S. \* \* \* v. Harry H. Harris. Collateral of \$50 forfeited. (F. & D. No. 521-c.)**

On October 1, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforsaid an information against Harry H. Harris, Washington, D. C., alleging that on August 29, 1919, the said defendant did offer for sale and sell at the District aforsaid, in violation of the Food and Drugs Act, a quantity of minced ham which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On October 1, 1919, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S270. Adulteration of ham. U. S. \* \* \* v. Dommico Torre. Collateral of \$25 forfeited. (F. & D. No. 522-c.)**

On October 2, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforsaid an information against Dommico Torre, Washington, D. C., alleging that on August 16, 1919, the said defendant did offer for sale and sell at the District aforsaid, in violation of the Food and Drugs Act, a quantity of ham which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On October 2, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8271. Adulteration of milk. U. S. \* \* \* v. James K. Walker. Collateral of \$25 forfeited. (F. & D. No. 523-c.)**

On October 1, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against James K. Walker, Gaithersburg, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on September 18, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a valuable constituent of the article, to wit, butter fat, had been wholly or in part abstracted.

On October 10, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8272. Adulteration of beans. U. S. \* \* \* v. Christian Kalsemas. Plea of guilty. Fine, \$25. (F. & D. No. 524-c.)**

On October 13, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Christian Kalsemas, Washington, D. C., alleging that on October 4, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of beans which were adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On October 13, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8273. Adulteration of milk. U. S. \* \* \* v. Welford B. Johnson. Collateral of \$25 forfeited. (F. & D. No. 525-c.)**

On November 6, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Welford B. Johnson, Midland, Va., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on September 22, 1919, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain substance to wit, water, had been mixed with it, thereby reducing and lowering its quality and strength.

On November 6, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*



**S274. Adulteration of milk. U. S. \* \* \* v. John Cassell. Collateral of \$25 forfeited. (F. & D. No. 526-c.)**

On November 3, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against John Cassell, Calverton, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on August 22, 1919, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a valuable constituent of the article, to wit, butter fat, had been wholly or in part abstracted.

On November 3, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S275. Adulteration of meat. U. S. \* \* \* v. Morris Leventhal. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 527-c.)**

On November 6, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Morris Leventhal, Washington, D. C., alleging that on October 31, 1919, the said defendant did offer for sale at the District aforesaid, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On November 6, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S276. Adulteration of meat. U. S. \* \* \* v. Isaac Mostow. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 528-c.)**

On November 6, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Isaac Mostow, Washington, D. C., alleging that on October 21, 1919, the said defendant did offer for sale at the District aforesaid, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On November 6, 1919, a plea of guilty to the information was entered by the defendant, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S277. Adulteration of milk. U. S. \* \* \* v. Winfield S. Cowne. Collateral of \$25 forfeited. (F. & D. No. 529-c.)**

On November 14, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Winfield S. Cowne, Midland, Va., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on November 3, 1919, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed and packed with a substance, to wit, water, which reduced and lowered and injuriously affected its quality.

On November 14, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S278. Adulteration of milk. U. S. \* \* \* v. Horace E. Smith. Collateral of \$25 forfeited. (F. & D. No. 530-c.)**

On November 14, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Horace E. Smith, Doubs, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on October 10, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On November 14, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S279. Adulteration of lard. U. S. \* \* \* v. Thomas J. Bundick. Collateral of \$25 forfeited. (F. & D. No. 531-c.)**

On November 24, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Thomas J. Bundick, Washington, D. C., alleging that on November 22, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of lard which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained an added ingredient which lowered and reduced its quality.

On November 24, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S280. Adulteration of meat. U. S. \* \* \* v. Isaiah Cunningham. Collateral of \$25 forfeited. (F. & D. No. 532-c.)**

On November 25, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Isaiah Cunningham, Washington, D. C., alleging that on November 14, 1919, the said defendant did offer for sale at the District aforesaid, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On November 25, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S281. Adulteration of lard. U. S. \* \* \* v. John R. DeGraffenreid. Collateral of \$25 forfeited. (F. & D. No. 533-c.)**

On November 28, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against John R. DeGraffenreid, Washington, D. C., alleging that on October 17, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of lard which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained an added ingredient, to wit, stearin, which lowered and reduced its standard of quality.

On November 28, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S282. Adulteration of lard. U. S. \* \* \* v. J. W. Hummer and B. F. Hummer (Hummer & Hummer). Collateral of \$25 forfeited. (F. & D. No 534-c.)**

On December 3, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against J. W. Hummer and B. F. Hummer, copartners, trading as Hummer & Hummer, Washington, D. C., alleging that on October 21, 1919, the said defendants did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of lard which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained an added ingredient, to wit, beef stearin, which lowered and reduced its quality.

On December 3, 1919, the defendants having failed to appear, the \$25 collateral that had been deposited by them to insure their appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S283. Adulteration of milk. U. S. \* \* \* v. Thomas T. Barnesley. Collateral of \$25 forfeited. (F. & D. No. 535-c.)**

On December 5, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Thomas T. Barnesley, Derwood, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on November 12, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that water had been mixed and packed therewith so as reduce and lower and injuriously affect its quality.

On December 5, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S284. Adulteration of milk. U. S. \* \* \* v. Thomas T. Barnesley. Collateral of \$25 forfeited. (F. & D. No. 536-c.)**

On December 5, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police



Court of the District aforesaid an information against Thomas T. Barnsley, Derwood, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on June 7, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a valuable constituent, to wit, butter fat, had been in whole or in part abstracted therefrom, thus reducing and lowering its quality and strength.

On December 5, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S285. Adulteration of milk. U. S. \* \* \* v. Richard B. Wagoner. Collateral of \$50 forfeited. (F. & D. No. 537-c.)**

On December 5, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Richard B. Wagoner, Manassas, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on October 16, 1919, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On December 5, 1919, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S286. Adulteration of lard. U. S. \* \* \* v. Mary Jordan. Collateral of \$25 forfeited. (F. & D. No. 538-c.)**

On December 8, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Mary Jordan, Washington, D. C., alleging that on October 21, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of lard which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that certain substances, to wit, cottonseed oil and hydrogenated fat, had been substituted in whole or in part for the article, so as to reduce and lower and injuriously affect its quality.

On December 8, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by her to insure her appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S287. Adulteration of vinegar. U. S. \* \* \* v. William Glassman. Collateral of \$25 forfeited. (F. & D. No. 539-c.)**

On December 8, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against William Glassman, Washington, D. C., alleging that on October 7, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of vinegar which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was deficient in apple solids and acetic acid and was colored with caramel. It was further alleged in the information that the article was an imitation of cider vinegar.

On December 8, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S288. Adulteration of lard. U. S. \* \* \* v. William Schlorb. Collateral of \$25 forfeited. (F. & D. No. 540-c.)**

On December 8, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against William Schlorb, Washington, D. C., alleging that on October 17, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of lard which was adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, beef stearin, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On December 8, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S289. Adulteration of Lima beans, navy beans, prunes, and rice. U. S. \* \* \* v. Pierre M. Bealer. (F. & D. No. 541-c.)**

On December 8, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Pierre M. Bealer, Washington, D. C., alleging that on October 18, 1919, the said defendant did offer for sale, in violation of the Food and Drugs Act, quantities of Lima beans, navy beans, prunes, and rice which were adulterated.

Adulteration of the articles was alleged in substance in the information for the reason that they consisted in whole or in part of filthy, decomposed, and putrid animal and vegetable substances.

On December 8, 1919, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S290. Adulteration of milk. U. S. \* \* \* v. Taliaferro S. Pilcher. Collateral of \$25 forfeited. (F. & D. No. 542-c.)**

On December 10, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Taliaferro S. Pilcher, Midland, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on November 5, 1919, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed with it so as to reduce and lower and injuriously affect its quality.

On December 10, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8291. Adulteration of milk. U. S. \* \* \* v. Lawrence M. Brown. Collateral of \$25 forfeited. (F. & D. No. 543-c.)**

On December 18, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Lawrence M. Brown, Doubs, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on November 19, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower its quality.

On December 18, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8292. Adulteration of milk. U. S. \* \* \* v. George H. Lee. Collateral of \$25 forfeited. (F. & D. No. 544-c.)**

On December 23, 1919, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against George H. Lee, Washington, D. C., alleging that on December 10, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been added thereto which lowered and reduced its quality and strength.

On December 23, 1919, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8293. Adulteration of eggs. U. S. \* \* \* v. Peter Chuclevis. Collateral of \$25 forfeited. (F. & D. No. 545-c.)**

On January 12, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Peter Chuclevis, Washington, D. C., alleging that on January 3, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, an article of food, to wit, eggs, which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On January 12, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*



**S294. Adulteration of butter. U. S. \* \* \* v. William Winstead. Collateral of \$25 forfeited. (F. & D. No. 546-c.)**

On January 14, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against William Winstead, Washington, D. C., alleging that on December 8, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of butter which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain other substance, to wit, oleomargarine, had been substituted in whole and in part for the article.

On January 14, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S295. Adulteration of butter. U. S. \* \* \* v. Daniel A. Sullivan. Collateral of \$25 forfeited. (F. & D. No. 547-c.)**

On January 14, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Daniel A. Sullivan, Washington, D. C., alleging that on December 8, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of butter which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain other article, to wit, process butter, had been substituted in whole and in part for the article.

On January 14, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S296. Adulteration of butter. U. S. \* \* \* v. George Hagis. Collateral of \$25 forfeited. (F. & D. No. 548-c.)**

On January 16, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against George Hagis, Washington, D. C., alleging that on December 8, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of butter which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain other article, to wit, oleomargarine, had been substituted wholly or in part for the article.

On January 16, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S297. Adulteration of lard. U. S. \* \* \* v. J. T. D. Pyles. Collateral of \$50 forfeited. (F. & D. No. 549-c.)**

On January 16, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against J. T. D. Pyles, Washington, D. C., alleging that on December 11, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of lard which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain other substance, to wit, beef stearin, had been substituted in whole or in part for the article.

On January 16, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S298. Adulteration of oysters. U. S. \* \* \* v. Charles H. Weser. Collateral of \$25 forfeited. (F. & D. No. 550-c.)**

On January 26, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Charles H. Weser, Washington, D. C., alleging that on January 14, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On January 26, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S299. Adulteration of butter. U. S. \* \* \* v. Cornelius Scott. Collateral of \$25 forfeited. (F. & D. No. 551-c.)**

On January 31, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Cornelius Scott, Washington, D. C., alleging that on December 9, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of butter which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain other substance, to wit, oleomargarine, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and had been substituted in whole or in part for the article.

On February 6, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S300. Adulteration of oysters. U. S. \* \* \* v. Jesse I. Buck. Plea of guilty. Fine, \$25. (F. & D. No. 552-c.)**

On February 2, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Jesse I. Buck, Washington, D. C., alleging that on January 21, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On February 2, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

# INDEX TO NOTICES OF JUDGMENT 8251 TO 8300.

Beans :		Lard :	
Kalsemas, Christian -----	8272	Bundick, Thos. J. -----	8279
Lima :		DeGraffenreid, John R. ----	8281
Bealer, Pierre M. -----	8289	Hummer & Hummer -----	8282
navy :		Jordan, Mary -----	8286
Bealer, Pierre M. -----	8289	Pyles, J. T. D. -----	8297
B-I-F capsules :		Schlorb, William -----	8288
Wampole, Henry S., Co. ----	8260	Lima beans. <i>See</i> Beans.	
Big G :		Malydor injection :	
Evans Chemical Co. -----	8254	Williams Mfg. Co. -----	8258
Borated goldenseal. <i>See</i> Big G.		Meat :	
Bread :		Cunningham, Isaiah -----	8280
Corby Baking Co. -----	8266	Leventhal, Morris -----	8275
Butter :		Mostow, Isaac -----	8276
Centralia Butter Co. -----	8251	Methylax Blue Pearls :	
Hagis, George -----	8296	Warner, Wm. R., & Co. ----	8252
Scott, Cornelius -----	8299	Milk :	
Sullivan, Daniel A. -----	8295	Barnesley, Thos. T. -----	8283
Winstead, William -----	8294	Barnesley, Thos. T. -----	8284
Capsules, B-I-F :		Brown, Lawrence M. -----	8291
Wampole, Henry S., Co. ----	8260	Cassell, John -----	8274
Jax :		Cowne, Winfield S. -----	8277
Tropical Co-Operative Co. --	8255	Johnson, Welford B. -----	8273
Eggs :		Lee, George H. -----	8292
Chuclevis, Peter -----	8293	Pilcher, Taliaferro S. -----	8290
Morris & Co. -----	8267	Robinson, Daniel W. -----	8265
Shuman, Meyer -----	8268	Simpson, Wm. A. -- 8262, 8263, 8264	8264
G. S. :		Smith, Horace E. -----	8278
Gross, L. M. -----	8259	Wagoner, Richard B. -----	8285
G Zit :		Walker, James K. -----	8271
Stearns-Hollinshead Co. ----	8261	Minced ham. <i>See</i> Ham.	
Goldenseal, borated. <i>See</i> Big G.		Navy beans. <i>See</i> Beans.	
Grimault & Co's. injection :		Oysters :	
Fougera, E., & Co. -----	8257	Buck, Jesse I. -----	8300
Ham :		Weser, Charles H. -----	8298
Torre, Dommico -----	8270	Prunes :	
minced :		Bealer, Pierre M. -----	8289
Harris, Harry H. -----	8269	Rice :	
Injection, Grimault & Co's. :		Bealer, Pierre M. -----	8289
Fougera, E., & Co. -----	8257	Rid-It :	
Jax antiseptic :		Pfeiffer, S., Mfg. Co. -----	8256
Tropical Co-Operative Co. --	8255	Tisit :	
Malydor :		Pfeiffer, S., Mfg. Co. -----	8253
Williams Mfg. Co. -----	8258	Vinegar :	
Jax capsules :		Glassman, William -----	8287
Tropical Co-Operative Co. --	8255		
injection :			
Tropical Co-Operative Co. --	8255		



## United States Department of Agriculture,

### BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

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## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8301-8350.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 9, 1921.]

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### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**S301. Adulteration of oysters. U. S. \* \* \* v. Bessie B. Ward. Collateral of \$25 forfeited. (F. & D. No. 552-c.)**

On February 20, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Bessie B. Ward, Washington, D. C., alleging that on January 30, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On February 20, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by her to insure her appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S302. Adulteration of butter. U. S. \* \* \* v. George W. Goodacre. Collateral of \$25 forfeited. (F. & D. No. 554-c.)**

On March 1, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against George W. Goodacre, Washington, D. C., alleging that on December 9, 1919, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of butter which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain other substance, to wit, oleomargarine, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On March 1, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S303. Adulteration of milk. U. S. \* \* \* v. John U. Baker. Collateral of \$25 forfeited. (F. & D. No. 555-c.)**

On March 3, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against John U. Baker, Gaithersburg, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on February 9, 1920, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed with the article, thereby reducing and lowering its quality and strength.

On March 3, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S204. Adulteration of oysters. U. S. \* \* \* v. Golden & Co. Collateral of \$50 forfeited. (F. & D. No. 556-c.)**

On March 30, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Golden & Co., a corporation, Washington, D. C., alleging that on January 21, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Adulteration of the article was alleged in the information for the reason that a certain other substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On March 30, 1920, the defendant corporation having failed to enter an appearance, the \$50 collateral that had been deposited by it to insure its appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S305. Adulteration of milk. U. S. \* \* \* v. Charles F. Rougeon. Collateral of \$25 forfeited. (F. & D. No. 557-c.)**

On April 30, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Charles F. Rougeon, Washington, D. C., alleging that on April 22, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain valuable constituent thereof, to wit, butter fat, had been abstracted therefrom in whole or in part.

On April 30, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8306. Adulteration of meat. U. S. \* \* \* v. Isaac Mostow. Trial by the court. Judgment of conviction. Fine, \$50. (F. & D. No. 558-c.)**

On May 3, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Isaac Mostow, Washington, D. C., alleging that on April 20, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 19, 1920, the case having come on for trial before the court, after the submission of evidence and arguments by counsel, judgment of guilty was rendered, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**8307. Adulteration of citrate of magnesia. U. S. \* \* \* v. Harry B. Koester. Collateral of \$25 forfeited. (F. & D. No. 559-c.)**

On May 14, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Harry B. Koester, Washington, D. C., alleging that on April 13, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of citrate of magnesia which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia, official at the time of investigation of the article.

On May 14, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8308. Adulteration of citrate of magnesia. U. S. \* \* \* v. Charles S. Walter. Collateral of \$25 forfeited. (F. & D. No. 560-c.)**

On May 14, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Charles S. Walter, Washington, D. C., alleging that on April 13, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of an article of drugs, purporting to be citrate of magnesia, which was adulterated.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article.

On May 14, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*



**8309. Adulteration of fish. U. S. \* \* \* v. Thomas Tibbs. Collateral of \$10 forfeited. (F. & D. No. 561-c.)**

On May 22, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Thomas Tibbs, Washington, D. C., alleging that on May 21, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of fish which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 22, 1920, the defendant having failed to appear, the \$10 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

*E. D. BALL, Acting Secretary of Agriculture.*

**8310. Adulteration of milk. U. S. \* \* \* v. Vernon M. Lynch. Plea of guilty. Fine, \$50. (F. & D. No. 562-c.)**

On May 24, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Vernon M. Lynch, Washington, D. C., alleging that on May 18, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, a dead mouse, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality.

On May 24, 1920, a plea of guilty to the information was entered by the defendant, and the court imposed a fine of \$50.

*E. D. BALL, Acting Secretary of Agriculture.*

**8311. Adulteration of milk. U. S. \* \* \* v. Elijah T. Mills. Collateral of \$25 forfeited. (F. & D. No. 563-c.)**

On June 1, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Elijah T. Mills, Washington, D. C., alleging that on May 9, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On June 1, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

*E. D. BALL, Acting Secretary of Agriculture.*

**8312. Adulteration of milk. U. S. \* \* \* v. Otis C. Pope. Collateral of \$25 forfeited. (F. & D. No. 564-c.)**

On June 2, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Otis C. Pope, Washington, D. C., alleging that on May 22, 1920, the said defendant did offer for

sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain valuable constituent thereof, to wit, butter fat, had been wholly or in part abstracted therefrom.

On June 2, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8313. Adulteration of bacon and ham. U. S. \* \* \* v. Frank Kidwell. Collateral of \$50 forfeited. (F. & D. No. 565-c.)**

On June 15, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Frank Kidwell, Washington, D. C., alleging that on June 5, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, quantities of bacon and ham which were adulterated.

Adulteration of the articles was alleged in substance in the information for the reason that they consisted in whole or in part of filthy, decomposed, and putrid animal substances.

On June 15, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8314. Adulteration of milk. U. S. \* \* \* v. Edward Markham. Collateral of \$50 forfeited. (F. & D. No. 566-c.)**

On June 22, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Edward Markham, Washington, D. C., alleging that on June 3, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it contained an added deleterious substance, to wit, colon bacilli, which rendered it injurious to health.

On June 22, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8315. Adulteration of milk. U. S. \* \* \* v. Louis A. Snouffer. Collateral of \$25 forfeited. (F. & D. No. 567-c.)**

On June 28, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Louis A. Snouffer, Washington, D. C., alleging that on June 16, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality.

On June 28, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S316. Adulteration of milk. U. S. \* \* \* v. John I. Diehl. Collateral of \$25 forfeited. (F. & D. No. 568-c.)**

On June 28, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against John I. Diehl, Washington, D. C., alleging that on June 18, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and injuriously affect its quality.

On June 28, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S317. Adulteration of meat. U. S. \* \* \* v. Leon Pappas and Nick Pappas. Collateral of \$50 forfeited. (F. & D. No. 569-c.)**

On July 7, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Leon Pappas and Nick Pappas, Washington, D. C., alleging that on June 22, 1920, the said defendants did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of meat which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On July 7, 1920, the defendants having failed to appear, the \$50 collateral that had been deposited by them to insure their appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S318. Adulteration of milk. U. S. \* \* \* v. Harry L. Oliver. Collateral of \$25 forfeited. (F. & D. No. 570-c.)**

On July 17, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Harry L. Oliver, Washington, D. C., alleging that on July 13, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a valuable constituent thereof, to wit, butter fat, had been abstracted therefrom, thus reducing its quality and strength.

On July 17, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*



**S319. Adulteration of bread. U. S. \* \* \* v. Harry E. Robberts. Collateral of \$50 forfeited. (F. & D. No. 571-c.)**

On July 29, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Harry E. Robberts, Washington, D. C., alleging that on July 29, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, one loaf of bread which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On July 29, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S320. Adulteration of grapefruit. U. S. \* \* \* v. Christ Kalsuritinis. Collateral of \$50 forfeited. (F. & D. No. 572-c.)**

On July 29, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Christ Kalsuritinis, Washington, D. C., alleging that on July 17, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of grapefruit which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On July 29, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S321. Adulteration of ground meat. U. S. \* \* \* v. Frank Kidwell. Collateral of \$50 forfeited. (F. & D. No. 573-c.)**

On July 29, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Frank Kidwell, Washington, D. C., alleging that on July 14, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of ground meat which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On July 29, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**S322. Adulteration of pork meat. U. S. \* \* \* v. Harry Sherby (Sherby's Market). Collateral of \$100 forfeited. (F. & D. No. 574-c.)**

On August 2, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Harry Sherby, trading as Sherby's Market, at Washington, D. C., alleging that on July 27, 1920, the

said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of pork meat which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 2, 1920, the defendant having failed to appear, the \$100 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

*E. D. BALL, Acting Secretary of Agriculture.*

**8323. Adulteration of grapefruit. U. S. \* \* \* v. Mustafa Ebbess. Collateral of \$50 forfeited. (F. & D. No. 575-c.)**

On August 9, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Mustafa Ebbess, Washington, D. C., alleging that on July 31, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of grapefruit which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On August 9, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

*E. D. BALL, Acting Secretary of Agriculture.*

**8324. Adulteration of milk. U. S. \* \* \* v. Jeremiah E. Donovan. Collateral of \$25 forfeited. (F. & D. No. 576-c.)**

On August 25, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Jeremiah E. Donovan, Fairfax, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on August 13, 1920, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On August 25, 1920, the defendant having failed to appear, the \$25 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

*E. D. BALL, Acting Secretary of Agriculture.*

**8325. Adulteration of milk. U. S. \* \* \* v. George Chipouras. Collateral of \$50 forfeited. (F. & D. No. 578-c.)**

On September 8, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against George Chipouras, Washington, D. C., alleging that on August 23, 1920, the said defendant did offer for sale and sell at the District aforesaid a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain valuable constituent thereof, to wit, butter fat, had been wholly or in part abstracted therefrom.

On September 8, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8326. Adulteration of milk. U. S. \* \* \* v. Nick Auth. Collateral of \$50 forfeited. (F. & D. No. 579-c.)**

On September 9, 1920, the United States attorney for the District of Columbia, acting upon a report by the health officer of said District, filed in the Police Court of the District aforesaid an information against Nick Auth, Washington, D. C., alleging that on August 18, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of milk which was adulterated.

Adulteration of the article was alleged in substance in the information for the reason that a certain constituent thereof, to wit, butter fat, had been wholly or in part abstracted therefrom.

On September 9, 1920, the defendant having failed to appear, the \$50 collateral that had been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8327. Adulteration of scallops. U. S. \* \* \* v. Star Fish Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9151. I. S. No. 3924-p.)**

On November 26, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Star Fish Co., a corporation, Morehead City, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 16, 1918, from the State of North Carolina into the State of New York, of a quantity of scallops which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the scallops had been soaked.

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**8328. Adulteration of scallops. U. S. \* \* \* v. Morehead City Sea Food Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9152. I. S. No. 2669-p.)**

On or about September 30, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Morehead City Sea Food Co., a corporation, Morehead City, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 22, 1918, from the State of North Carolina into the State of Massachusetts, of a quantity of scallops which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the scallops had been soaked.



Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and added water had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**8329. Adulteration of scallops. U. S. \* \* \* v. Armada Willis and Lathan Willis (Independent Fish Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9198. I. S. No. 3925-p.)**

On November 15, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Armada Willis and Lathan Willis, copartners, trading as the Independent Fish Co., Morehead City, N. C., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 20, 1918, from the State of North Carolina into the State of New York, of a quantity of scallops which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the scallops had been soaked.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**8330. Adulteration and misbranding of scallops. U. S. \* \* \* v. Morehead City Sea Food Co., Inc. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8439. I. S. Nos. 1080-m, 3914-m.)**

On February 12, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Morehead City Sea Food Co., a corporation, Morehead City, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 16, 1916, and January 5, 1917, from the State of North Carolina into the State of New York, of quantities of scallops which were adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in both shipments had been soaked.

Adulteration of the article in both shipments was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality. Adulteration was alleged for the further reason that water had been substituted in part for scallops, which the article purported to be.

Misbranding of the article in both shipments was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*



**S331. Adulteration of scallops. U. S. \* \* \* v. J. H. Riggin & Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8515. I. S. No. 1852-m.)**

On February 8, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. H. Riggin & Co., a corporation, Morehead City, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 17, 1917, from the State of North Carolina into the State of New York, of a quantity of scallops which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the scallops had been soaked.

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S332. Adulteration of scallops. U. S. \* \* \* v. William H. Jackson (Jackson Fish Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8667. I. S. No. 9226-m.)**

On March 9, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Jackson, trading as the Jackson Fish Co., Morehead City, N. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 17, 1917, from the State of North Carolina into the State of Massachusetts, of a quantity of scallops which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the scallops had been soaked.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S333. Adulteration of scallops. U. S. \* \* \* v. Allen C. Davis and Isaac H. Taves (A. C. Davis & Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8922. I. S. No. 1345-p.)**

On May 20, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Allen C. Davis and Isaac H. Taves, copartners, trading as A. C. Davis & Co., Morehead City, N. C., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 18, 1918, from the State of North Carolina into the State of Massachusetts, of a quantity of scallops which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the scallops had been soaked.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed with the article so as to

lower or reduce and injuriously affect its quality and strength, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S334. Adulteration of scallops. U. S. \* \* \* v. Charles Tolson and John Smith (Tolson & Smith). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8924. I. S. No. 1346-p.)**

On May 6, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles Tolson and John Smith, trading as Tolson & Smith, Morehead City, N. C., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 18, 1918, from the State of North Carolina into the State of Massachusetts, of a quantity of scallops which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the scallops had been soaked.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed with the article so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S335. Adulteration of scallops. U. S. \* \* \* v. Lewis K. Piner and Martin L. Piner (Piner Bros.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9153. I. S. No. 2673-p.)**

On November 26, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lewis K. Piner and Martin L. Piner, copartners, trading as Piner Bros., Morehead City, N. C., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 6, 1918, and February 7, 1918, from the State of North Carolina into the State of Massachusetts, of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in both shipments had been soaked.

Adulteration of the article in both shipments was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and for the further reason that added water had been substituted for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S336. Adulteration of scallops. U. S. \* \* \* v. J. H. Riffin & Co., Inc. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9155. I. S. Nos. 1349-p, 1354-p, 2668-p.)**

On November 26, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. H. Riffin & Co., a corporation, Morehead City, N. C., alleging ship-

ment by said company, in violation of the Food and Drugs Act, on or about January 28, 1918, February 1, 1918, and January 22, 1918, from the State of North Carolina into the State of Massachusetts, of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in each shipment had been soaked.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8337. Adulteration of scallops. U. S. \* \* \* v. John M. Lewis. Plea of guilty. Fine, \$10 and costs.** (F. & D. No. 9250. I. S. Nos. 2670-p, 2674-p.)

On November 26, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John M. Lewis, Beaufort, N. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 22, 1918, and February 7, 1918, from the State of North Carolina into the State of Massachusetts, of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in each shipment had been soaked.

Adulteration of the article in both shipments was alleged in the information for the reason that a substance, to wit, added water, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8338. Adulteration of scallops. U. S. \* \* \* v. Lewis Kerby Piner and Martin Luther Piner (Piner Bros.). Plea of guilty. Fine, \$10 and costs.** (F. & D. No. 10862. I. S. Nos. 12676-r, 12571-r, 13750-r.)

On September 11, 1919, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lewis Kerby Piner and Martin Luther Piner, trading as Piner Bros., Morehead City, N. C., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 24, 1919, from the State of North Carolina into the State of Massachusetts (2 shipments), and into the State of New York (1 shipment), of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in each shipment had been soaked.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for scallops, which the article purported to be. Adulteration was alleged for the further reason that certain



valuable constituents of the article had been wholly or in part abstracted therefrom.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8339. Adulteration and misbranding of Shur-pleez Feed. U. S. \* \* \* v. Ritter-Hennings Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 11600. I. S. No. 10709-r.)**

On February 17, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ritter-Hennings Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 30, 1918, from the State of Kentucky into the State of Indiana, of a quantity of Shur-pleez feed which was adulterated and misbranded. The article was labeled in part, "Super Quality Shur-pleez Trade Mark Feed, Louisville, Ky. Egg & Growing Mash Guaranteed Analysis Protein 23.85% Fat 6.07% Fiber 7.87% Made from gluten meal, coarse bran, feed meal, middlings, beef scraps, ground bone meal, alfalfa meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 10.39 per cent of crude fiber, 20 per cent of protein, and 3.30 per cent of ether extract, or fat. Examination showed that it contained corn and wheat bran tissues, starch, alfalfa, muscle fiber, bone, corn gluten meal, and about 15 per cent of oat hulls and weed seeds.

Adulteration of the article was alleged in the information for the reason that screenings and weed seeds had been substituted in part for Super Quality feed, compounded as on the label set forth.

Misbranding was alleged for the reason that the statements on the label represented that the article contained not less than 6.07 per cent of fat, not less than 23.85 per cent of protein, and not more than 7.87 per cent of fiber, and was made from gluten meal, coarse bran, feed meal, middlings, beef scraps, ground bone meal, and alfalfa meal, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained a minimum proportion of fat and protein as aforesaid, and the maximum proportion of fiber as aforesaid, and was compounded as aforesaid, whereas it contained less than 6.07 per cent of fat, less than 23.85 per cent of protein, and more than 7.87 per cent of fiber, and was not so compounded, but contained screenings and weed seeds.

On March 9, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**8340. Adulteration and misbranding of flour. U. S. \* \* \* v. 287 Sacks of Flour. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 754. I. S. No. 5705-b. S. No. 279.)**

On August 7, 1909, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, on November 19, 1919, an amended libel, and on December 27, 1919, a stipulation for further amendment of the libel, praying seizure and condemnation of 287 sacks of flour, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about August 10 [August 4], 1909, by the Waterloo and Cedar Falls Union Mill Co., Cedar Falls, Iowa, and was in the



course of transportation from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel and amendments thereto for the reason that said flour was mixed, colored, powdered, coated, and stained in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the flour was branded "Waterloo and Cedar Falls Union Mill Company, Crystal patent, from hard wheat, Waterloo, Iowa," which said statement regarding the flour was false and misleading in that it represented that the flour was patent flour, whereas, in truth and in fact, it was not, but was a kind of flour known as straight flour; for the further reason that the label bore a statement which was false and misleading in that it thereby represented that the flour was made from hard wheat, whereas, in truth and in fact, it was not, but was made from a mixture consisting of more than one-half winter wheat, the balance being spring wheat; and for the further reason that the flour was in fact an imitation of, and was designed and offered for sale under the distinctive name of, patent flour, and was labeled and branded so as to deceive and mislead the purchaser thereof.

On May 18, 1912, an order was entered that 282 sacks of the flour be released, and that 5 sacks be retained in the custody of the court for jurisdictional purposes. On December 27, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered as to the 5 sacks remaining in custody, and it was ordered by the court that the product be destroyed by the United States marshal, and that the Waterloo and Cedar Falls Union Mill Co. should pay the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**8344. Misbranding of Milks Emulsion. U. S. \* \* \* v. 17 Dozen Large-size Bottles and 17 Dozen Small-size Bottles of Milks Emulsion. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 11399. I. S. Nos. 15154-r, 15155-r. S. No. E-1805.)

On October 9, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Milks Emulsion," at Camden, N. J., alleging that the article had been shipped on or about July 26, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum, with small amounts of sirup, glycerin, and methyl salicylate, and that it contained no fat.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing in the booklets accompanying, and on the label on the bottle containing the article, falsely and fraudulently represented the article to be effective as a remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, bronchial asthma, catarrhal croup, bronchitis, and tuberculosis of the lungs, whereas, in truth and in fact, it was not effective. Further misbranding was alleged in that the statement in the booklets regarding the article represented that the article contained a great amount of fat, whereas, in truth and in fact, it contained no fat.

On December 18, 1919, the Milks Emulsion Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered,

and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8342. Misbranding of cottonseed meal and cottonseed cake. U. S. \* \* \* v. Searcy Oil & Ice Co., a Corporation. Plea of guilty. Fine, \$75 and costs. (F. & D. No. 11426. I. S. Nos. 7498-r, 7499-r, 7525-r.)**

On March 4, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Searcy Oil & Ice Co., a corporation, Searcy, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, from the State of Arkansas into the State of Missouri, on or about December 10, 1918, of a quantity of an article, labeled in part "Supreme Brand Cotton Seed Meal Cotton Seed Cake," and on December 20, and December 17, 1918, respectively, of quantities of an article, labeled in part "Butterfly Brand Cottonseed Meal," each of which was misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Supreme Brand.	Butterfly Brand, shipment of—	
		Dec. 17.	Dec. 20.
Protein (per cent)-----	37.19	36.44	36.48
Crude fiber (per cent)-----	14.75	14.64	14.51
Fat (per cent)-----	-----	4.59	-----

Misbranding of each shipment was alleged in the information for the reason that the following statements, "Protein 38.60% \* \* \* crude fibre 12.00%," or "Not less than 38.5% crude protein, not more than 12% crude fiber," or "Protein 38.60 per cent, fat 6.00 per cent, fibre 12.00 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the Supreme Brand cottonseed meal cottonseed cake contained not less than 38.60 per cent of crude protein and not more than 12 per cent of crude fiber, that one of the shipments of Butterfly Brand cottonseed meal contained not less than 38.5 per cent of crude protein and not more than 12 per cent of crude fiber, and that the other shipment of Butterfly Brand cottonseed cake contained not less than 38.60 per cent of crude protein, not less than 6 per cent of fat, and not more than 12 per cent of fiber, and for the further reason that said articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said articles contained not less than 38.60 per cent or not less than 38.5 per cent of protein, not less than 6 per cent of fat, and not more than 12 per cent of crude fiber, whereas, in truth and in fact, they contained less than the quantities indicated of protein and less than the quantity indicated of fat, and more than 12 per cent of crude fiber.

On March 26, 1920, a plea of guilty was entered on behalf of the defendant corporation, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8343. Adulteration of pecan nuts. U. S. \* \* \* v. 375 Sacks of Pecan Nuts. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11542. I. S. No. 28-r. S. No. E-1870.)**

On December 1, 1919, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 375 sacks of pecan nuts at Brooklyn, N. Y., alleging

that the article had been shipped on or about November 17, 1919, by A. Cohen & Co., Eagle Pass, Tex., and transported from the State of Texas into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 3, 1920, A. Cohen & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8344. Adulteration of pecan nuts. U. S. \* \* \* v. 332 Sacks Containing Pecan Nuts. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11543. I. S. No. 29-r. S. No. E-1871.)**

On December 2, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 332 sacks containing pecan nuts, at New York, N. Y., alleging that the article was shipped on or about October 7, 1919, by the Border National Bank, Eagle Pass, Tex., and transported from the State of Texas into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that the article consisted in part of a filthy, decomposed, and putrid vegetable substance.

On January 22, 1920, F. S. E. Gunnell & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8345. Alleged misbranding of "Sulfox." U. S. \* \* \* v. Eman Mfg. Co., a Corporation. Tried by the court. Verdict of acquittal. (F. & D. No. 11635. I. S. No. 2657-r.)**

At the November, 1919, term of the District Court of the United States for the District of Colorado, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the Eman Mfg. Co., a corporation, Denver, Colo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 14, 1919, from the State of Colorado into the State of California, of a quantity of an article, labeled in part "'Sulfox' A Medicinal Water Artificially Prepared Sole owners and manufacturers The Eman Mfg. Co., Incorporated Main office 1426 Curtis Street Denver, Colo.," which was alleged to be misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an aqueous solution consisting essentially of sulphuric acid and traces of calcium sulphate with a very faint trace of sulphur dioxide.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements included in the circulars accompanying the article falsely and fraudulently represented it to be effective as a pre-



ventive, treatment, remedy, and cure for rheumatism, catarrh, la grippe, kidney and stomach trouble, hay fever, bronchitis, sugar diabetes, paralysis, St. Vitus' dance, indigestion, pyorrhea and other blood infections, lupus, cancer, gangrene, blood poisoning, dropsy, neuritis, piles, ulcers, eczema, erysipelas, tuberculosis, and germ propagation in the intestines, when, in truth and in fact, it was not.

On June 5, 1920, an agreed statement of facts was filed by the plaintiff and defendant, whereby, among other things, trial by jury was expressly waived, and it was agreed that the court should hear and determine the cause upon the stipulation and agreement of facts and the laws applicable thereto. On August 23, 1920, the cause having been tried upon the agreed statement of facts, the defendant was found not guilty and discharged, as will more fully appear from the following decision by the court, (Lewis, D. J.):

The defendant prepares and offers for sale a fluid under the trade-mark "Sulfox," and the information charges that in April, 1919, it shipped from Denver to San Francisco, in interstate commerce, a number of bottles of the preparation which were misbranded as to its therapeutic and curative effects. When defendant was brought in to plead there was a statement of facts by counsel which raised a doubt as to whether the Food and Drugs Act had been violated as charged. Thereupon the district attorney and counsel for defendant filed a stipulation waiving a jury and setting out the facts in the case, from which it appears that one Elgar O. Eaton, one of plaintiff's agents, whose duty it was to investigate violations of the act, wrote and mailed to defendant the following letter:

"San Francisco, April 9, 1919. Eman Co., Denver, Colo. Dear Sirs: I have heard of your treatment called 'Sulfox.' I want to try it and I am sending \$3.00 for a case of it. Send to my room at 972 Sutter Street, room 806. Ed. Eaton."

Eaton, before ordering the shipment, went to a druggist at San Francisco and asked for "Sulfox." The druggist had none. Eaton asked the druggist to order some for him. The druggist did so, but defendant refused to fill the order of the druggist. Eaton then ordered the shipment direct to himself by means of the foregoing letter. The defendant did not know at the time it made the shipment that Eaton was an employee of the United States Government and supposed the shipment was being made to one intending to use it for medicinal purposes as a remedy for some of the diseases for which it was recommended by the circulars accompanying it. The stipulation further recites: "That in making said order and inducing said shipment it was not the intention of the said Eaton to use said 'Sulfox' as a medicine or as a treatment for the cure, mitigation, or prevention of disease, but the shipment was procured by him for the sole purpose of analyzing the substance and of procuring evidence against the shipper of a violation of the Food and Drugs Act.

The district attorney relies upon *Grimm v. United States*, 156 U. S., 604, and cases which follow it, in urging that a plea of guilty be entered and a fine imposed, and of course if the facts here bring the case within the rule there announced that must be done, notwithstanding a majority of the State courts appear to hold a contrary view. When the *Grimm* case was considered below Judge Thayer held that the facts established guilt because the Government agent who induced the defendant to write the nonmailable letter did not request the defendant to put the letter in the mail, but left the means of transmission wholly to the defendant's selection. He said: "If such act is done voluntarily and intentionally—that is to say, if the nonmailable letter is deposited in the mail by the accused without solicitation on the part of the officer that the mail be used to convey such intelligence—the weight of judicial opinion seems to be that the act does not lose its criminal character, though the offense may have been committed in responding to an inquiry from a person in the Government service which was made under an assumed name for the purpose of concealing his identity. \* \* \* In the case at bar the evidence did not show that the accused was solicited to commit the offense charged in the indictment. The selection of the public mail as the medium for giving information where the most lewd and indecent pictures could be obtained was the voluntary act of the defendant, and he is criminally responsible therefor." 50 Fed., 528. I can conceive of no way in which the defendant could have trans-



mitted "Sulfox" to Eaton as requested in his letter that would not have been an interstate shipment. However, the Supreme Court, in considering Grimm's case on error, made no mention of the position taken by Judge Thayer, but rested its affirmance on other ground. Mr. Justice Brewer, speaking for the court in that case, says: "It does not appear that it was the purpose of the post-office inspector to induce or solicit the commission of a crime, but it was to ascertain whether the defendant was engaged in an unlawful business." This language is a clear indication of the importance of the purpose of the Government agent, that is, as to whether the act which he requests the citizen to do is for the purpose of inducing him to violate the statute. That this is so is more definitely stated in *Price v. United States*, 165 U. S., 311, at page 315: "It appears from the bill of exceptions that the Government inspector who investigated the prosecution of this case had been informed that the statute was being violated, and for the purpose of discovering the fact whether or not the plaintiff in error was engaged in such violation, the inspector wrote several communications of the nature of decoy letters, which are set forth in the record, asking the plaintiff in error to send him through the mail certain books of the character covered by the statute, which the plaintiff in error did, as is alleged by the prosecution and as has been found by the verdict of the jury. This has been held to constitute no valid ground of objection." The excerpt from the Grimm case is repeated in *Andrews v. United States*, 162 U. S., 420. The stipulation does not disclose that the defendant here has ever sent "Sulfox" in interstate shipment other than the two bottles to Eaton in response to his letter. Eaton's failure to induce the defendant to violate the statute by shipping to the druggist, his letter to the defendant, the absence of facts as a basis from which he could believe or suspect that the defendant had on other occasions violated the statute, and the stipulation, causes me to reach the conclusion that he wrote the letter to the defendant, not for the purpose of discovering violations but with the intention and purpose of inducing the defendant to violate the statute, and that on these facts Grimm's case is not an authority in support of the prosecution, and that in the interests of a sound public policy the defendant should be found not guilty and discharged. *Woo Wai v. U. S.*, 223 Fed., 412; *Sam Yick v. U. S.*, 240 Fed., 60.

**8346. Adulteration and misbranding of Pepso-Laxatone. U. S. \* \* \* v. 10 Dozen Bottles of Drugs Called Pepso-Laxatone. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11870. I. S. No. 561-r. S. No. E-1919.)**

On January 7, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled "Pepso-Laxatone," at Atlanta, Ga., consigned by the Burlingame Chemical Co., Los Angeles, Calif., alleging that the article had been shipped on or about August 13, 1919, and transported from the State of California into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution composed essentially of extractives of *esecara sagrada*, hydrochloric and lactic acids, sugar, alcohol, and water, with not to exceed 0.006 gram of pepsin per fluid ounce and not more than a trace of pancreatin and diastase.

Adulteration of the article was alleged in the libel in that the strength of the article fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in that the statement on the labels and packages containing the article, regarding it, to wit, "Pepso-Laxatone is a solution of Pepsin, Diastase, Pancreatine," was false and misleading in that it represented that the product contained a substantial amount of pepsin, diastase, and pancreatin, whereas, in truth and in fact, the article contained not more than a trace of pepsin, and not more than a trace of pancreatin and diastase. Further misbranding was alleged in that the statements on the labels and on the packages, regarding the curative and therapeutic effects of the article, falsely

and fraudulently represented the article to be effective as a permanent relief for habitual constipation, gastric disorders, and indigestion, whereas, in truth and in fact, it was not effective.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8347. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 550 Cases of Blue Dot Tomatoes and U. S. \* \* \* v. 124 Cases of Blue Dot Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11877, 11878. I. S. Nos. 9196-r, 9197-r. S. No. C-1674.)**

On January 13, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of a certain article, labeled in part "Blue Dot Tomatoes \* \* \* Packed by Winfield Webster & Co., Main Office, Vienna, Md.," at Gulfport, Miss., alleging that the article had been shipped on or about September 11, 1919, by Winfield Webster & Co., Vienna, Md., and transported from the State of Maryland into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that tomato pulp had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that tomato pulp had been substituted in part for the article.

Misbranding of the article was alleged in that the statement, "Blue Dot Tomatoes," was false and misleading and deceived and misled the purchaser. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 8, 1920, Winfield Webster & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8348. Misbranding of Stillwagon's Medicated Stock Food. U. S. \* \* \* v. 5 Packages, 24 Ounces Each, and 5 Packages, 64 Ounces Each, of Stillwagon's Medicated Stock Food. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12517. I. S. No. 9266-r. S. No. C-1833.)**

On March 18, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 packages, 24 ounces each, and 5 packages, 64 ounces each, of Stillwagon's Medicated Stock Food, remaining in the original unbroken packages at Bunker Hill, Ill., alleging that the article had been shipped by the Stillwagon Food Mfg. Co., St. Louis, Mo., on or about January 3, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (carton) " \* \* \* Stillwagon's Food \* \* \* For all diseases arising from Indigestion and Impure Blood; also a preventative for Hog Cholera. \* \* \* Scours in Calves. \* \* \* An Invaluable Remedy in

the treatment of diseases peculiar to Horses, such as \* \* \* Farcy, Distemper, \* \* \* Founders, \* \* \* Bots \* \* \* Diseases of the Kidneys and Urinary Organs \* \* \* and all Diseases arising from Impure Blood. \* \* \* In all afflictions of horses such as \* \* \* Distemper, Pink-eye, Farcy \* \* \* Impure Blood, etc., Swine Cholera (Plague) \* \* \* As a Preventive feed once or twice a day \* \* \* Stillwagon's Food Cures where others Fail \* \* \* Cures and prevents disease in Horses, Cattle, Hogs, Colts, Calves, Lambs, and Pigs," (circular) " \* \* \* In all affections of horses such as \* \* \* distemper, pinkeye, farcy, impure blood, etc., \* \* \* Swine Cholera—(Plague) \* \* \* As a preventive, feed once or twice a day \* \* \* For Worms or any other Trouble."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture composed essentially of sulphur, salt, ferrous sulphate, capsicum, gentian, anise, powdered charcoal, and cottonseed hulls.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing statements contained in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8349. Misbranding of Dr. Burkhardt's Vegetable Compound. U. S. \* \* \***  
**v. 24 Dozen Packages of Dr. Burkhardt's Vegetable Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13066. I. S. No. 8576-t. S. No. E-2447.)**

On July 21, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 dozen packages of an article of drugs, labeled in part "Dr. Burkhardt's Vegetable Compound," consigned July 3, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Dr. W. S. Burkhardt, Cincinnati, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of pills composed essentially of aloes, capsicum, and plant extractives including resins, probably podophyllum.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effects were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it: (Carton) "Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia \* \* \* and all syphilitic diseases."

On August 28, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**S350. Misbranding of Santal Pearls. U. S. \* \* \* v. 72 Bottles, More or Less, of Santal Pearls. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10692. I. S. No. 15020-r. S. No. E-1557.)**

On June 25, 1919, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Santal Pearls," at Wilmington, Del., alleging that the article had been shipped on or about May 5, 1919, by the S. Pfeiffer Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Delaware, and charging violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing santal oil, balsam of copaiba, and oil of cassia.

Misbranding of the article was alleged in the libel in that certain statements appearing in the circular accompanying the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhea, whereas, in truth and in fact, it was not effective.

On December 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



# INDEX TO NOTICES OF JUDGMENT 8301 TO 8350.

\* Cases containing decisions of the courts or instructions to juries.

	N. J. No.	Milk—Continued.	N. J. No.
Bacon :		Diehl, John I.-----	8316
Kidwell, Frank-----	8313	Donovan, J. E.-----	8324
Bread :		Lynch, Vernon M.-----	8310
Robbarts, Harry E.-----	8319	Markham, Edward-----	8314
Burkhart's, Dr., vegetable compound :		Mills, Elijah T.-----	8311
Burkhart, Dr. W. S.-----	8349	Oliver, Harry L.-----	8318
Butter :		Pope, Otis C.-----	8312
Goodacre, George W.-----	8302	Rougeon, Chas. F.-----	8205
Citrate of magnesia :		Snouffer, Louis A.-----	8315
Koester, Harry B.-----	8307		
Walter, Chas. S.-----	8308	Milks Emulsion :	
Cottonseed cake. <i>See</i> Feed.		Milks Emulsion Co.-----	8341
meal. <i>See</i> Feed.		Nuts, pecan :	
Emulsion, Milks :		Border National Bank.-----	8344
Milks Emulsion Co.-----	8341	Cohen, A., & Co.-----	8343
Feed, cottonseed cake :		Oysters :	
Searcy Oil & Ice Co.-----	8342	Golden & Co.-----	8304
cottonseed meal :		Ward, Bessie B.-----	8301
Searcy Oil & Ice Co.-----	8342	Pecan nuts. <i>See</i> Nuts.	
poultry :		Pepso-Laxatone :	
Ritter-Hennings Co.-----	8339	Burlingame Chemical Co.---	8346
stock :		Pills, vegetable compound :	
Stillwagon Food Mfg. Co.--	8348	Burkhart, Dr. W. S.-----	8349
Fish :		Pork meat. <i>See</i> Meat.	
Tibbs, Thomas.-----	8309	Poultry feed. <i>See</i> Feed.	
Flour :		Santal Pearls :	
Waterloo & Cedar Falls		Pfeiffer, S., Mfg. Co.-----	8350
Union Mill Co.-----	8340	Scallops :	
Grapefruit :		Davis, A. C., & Co.-----	8333
Ebbess, Mustafa.-----	8323	Independent Fish Co.-----	8329
Kalsuritinis, Christ.-----	8320	Jackson Fish Co.-----	8332
Ground meat. <i>See</i> Meat.		Lewis, John M.-----	8337
Ham :		Morehead City Sea Food	
Kidwell, Frank.-----	8313	Co.-----	8328, 8330
Magnesia, citrate of :		Piner Bros.-----	8335, 8338
Koester, Harry B.-----	8307	Riggin, J. H., & Co.-----	8331, 8336
Walter, Chas. S.-----	8308	Star Fish Co.-----	8327
Meat :		Tolson & Smith.-----	8334
Mostow, Isaac.-----	8306	Shur-pleez feed :	
Pappas, Leon and Nick.---	8317	Ritter-Hennings Co.-----	8339
ground :		Stillwagon's medicated stock food :	
Kidwell, Frank.-----	8321	Stillwagon Food Mfg. Co.--	8348
pork :		Stock food. <i>See</i> Feed.	
Sherby's Market.-----	8322	" Sulfox " :	
Milk :		Eman Mfg. Co.-----	* 8345
Auth, Nick.-----	8326	Tomatoes :	
Baker, John U.-----	8303	Webster, Winfield, & Co.---	8347
Chipouras, George.-----	8325	Vegetable compound pills. <i>See</i> Pills.	



# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 8351-8400.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 9, 1921.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**8351. Misbranding of G. S. U. S. \* \* \* v. 48 Bottles of G. S. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11568. I. S. No. 9184-r. S. No. C-1660.)**

On or about December 24, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and an amended libel on December 31, 1919, for the seizure and condemnation of a certain quantity of a certain article, labeled in part "G. S.," at Meridian, Miss., alleging that the article had been shipped on or about September 11, 1919, by L. M. Gross, Little Rock, Ark., and transported from the State of Arkansas into the State of Mississippi, and charging violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution of potassium iodid and unidentified plant extractives in water and alcohol.

Misbranding of the article was alleged in that certain statements regarding the curative or therapeutic effects of the article, appearing on the cartons enclosing, and on the labels on the bottles containing the article, falsely and fraudulently represented the article to be effective as a remedy for pellagra, rheumatism, lumbago, sciatica, neuralgia, indigestion, biliousness, constipation, malaria, and stomach, liver, and kidney diseases, whereas, in truth and in fact, it was not effective.

On March 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*



**S352. Adulteration of eggs. U. S. \* \* \* v. 119 Cases of Eggs. Consent decree of condemnation and forfeiture. Edible portion released, remainder destroyed. (F. & D. No. 11580. I. S. No. 17270-r. S. No. E-1741.)**

On September 12, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of eggs, at Richmond, Va., alleging that the article had been shipped on or about September 4, 1919, by A. S. Kuhn, Chicago, Ill., and transported from the State of Illinois into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On October 22, 1919, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that so many of the cases of eggs as were fit for human consumption be released to W. F. Gravins & Co., in whose possession the goods were found when seized, and that the remainder be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S353. Adulteration of oysters. U. S. \* \* \* v. J. J. Underhill Co. Plea of nolo contendere. Fine, \$20 and costs. (F. & D. No. 11603. I. S. Nos. 3538-p, 3546-p, 13340-r, 13391-r.)**

On May 4, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the J. J. Underhill Co., Baltimore, Md., alleging shipment by the said defendant, on or about March 6, 1918, March 11, 1918, January 15, 1919, and February 3, 1919, in violation of the Food and Drugs Act, from the State of Maryland into the States of Pennsylvania and Iowa, of certain quantities of a certain article, labeled in part "Oysters Famous Signal Brand," which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article in each shipment was alleged in the information in that a substance, to wit, water, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality. Further adulteration was alleged in that water had been substituted in part for oysters, which the article purported to be.

On May 4, 1920, the defendant pleaded nolo contendere to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S354. Adulteration of shell eggs. U. S. \* \* \* v. Sandstone Cooperative Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 11629. I. S. No. 8482-r.)**

On February 19, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sandstone Cooperative Co., a corporation, Sandstone, Minn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 18, 1919, from the State of Minnesota into the State of Wisconsin, of a certain quantity of an article, to wit, shell eggs, which was adulterated.

Examination of the article by the Bureau of Chemistry of this department showed that in 1 case of 360 eggs 41, or 11.38 per cent, were inedible.

Adulteration of the article was alleged in the information in that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On February 21, 1920, the defendant pleaded guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8355. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. Brownsville Cotton Oil and Ice Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11810. I. S. No. 7681-r.)**

On April 19, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Brownsville Cotton Oil and Ice Co., Brownsville, Tenn., alleging shipment by the said company, on or about January 25, 1919, from the State of Tennessee into the State of Iowa, of a quantity of an article, labeled in part "41% Cottonseed Meal," which was adulterated and misbranded in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 38.8 per cent of protein.

Adulteration of the article was alleged in the information in that a substance, to wit, cottonseed meal containing less than 41 per cent of protein, had been substituted in whole or in part for "41 per cent cottonseed meal," which the article purported to be.

Misbranding of the article was alleged in that the article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On May 28, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8356. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. \$50 Cases of Gold Bond Brand Hand Packed Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11813. I. S. No. 26-r. S. No. E-1877.)**

On December 13, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Gold Bond Brand Hand Packed Tomatoes Packed by Monumental Canning Co. \* \* \* Baltimore, Md.," at Jersey City, N. J., alleging that the article had been shipped on or about October 8, 1919, by the Monumental Canning Co., Baltimore, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that water had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration was alleged in that water had been substituted in whole or in part for the article.

Misbranding of the article was alleged in that the statement on the label attached to the cans containing the article, to wit, "Gold Bond Brand Hand Packed Tomatoes," was false and misleading and deceived and misled the purchaser into the belief that the article was canned tomatoes, whereas it was a product containing added water. Further misbranding was alleged in that the article was sold under the distinctive name of another article.

On February 13, 1920, the Monumental Canning Co. Inc., having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8357. Adulteration and misbranding of Patapsco Wheat Middlings and Screenings. U. S. \* \* \* v. 500 Bags of Patapsco Wheat Middlings with Screenings. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11822. S. No. E-1888.)**

On or about December 18, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part, on tag, "Patapsco Wheat Middlings and ground recleaned screenings not exceeding mill run," and, stenciled on bag, "Patapsco Brown Middlings manufactured from soft winter wheat and ground recleaned screenings not exceeding mill run," at Richmond, Va., alleging that the article had been shipped on or about December 3, 1919, by the C. A. Gambrill Mfg. Co., Baltimore, Md., and transported from the State of Maryland into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel in that a certain substance, to wit, ground bran, had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength. Adulteration was further alleged in that a certain substance, to wit, ground bran, had been substituted in whole or in part for the article. Adulteration was further alleged in that a certain substance, to wit, ground bran, had been mixed therewith in a manner whereby damage and inferiority were concealed.

Misbranding of the article was alleged in substance in that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Patapsco Wheat Middlings and ground recleaned screenings not exceeding mill run." Misbranding was further alleged in that the package containing said article and the labels thereon bore certain statements, regarding the ingredients and substances contained therein, which were false and misleading, to wit, "Wheat Middlings and ground recleaned screenings not exceeding mill run" and "Brown Middlings manufactured from soft winter wheat and ground recleaned screenings not exceeding mill run," whereas, in truth and in fact, the article contained a large quantity of a certain substance, to wit, ground bran.

On January 27, 1920, C. A. Gambrill Mfg. Co. Inc., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*



**8358. Misbranding of The Texas Wonder. U. S. \* \* \* v. 33 Bottles of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11824. I. S. No. 9185-r. S. No. C-1644.)

On or about December 24, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "The Texas Wonder," at Meridian, Miss., alleging that the article had been shipped on or about November 3, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Mississippi, alleging that the article was misbranded in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in the libel in that certain statements appearing on the carton enclosing, in the circular accompanying, and on the label on the bottle containing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for kidney and bladder troubles, diabetes, weak and lame backs, rheumatism and gravel, regulates bladder trouble in children, stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys, whereas, in fact and in truth, it was not effective.

On March 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8359. Misbranding of Antibrule. U. S. \* \* \* v. 24 Bottles, More or Less, of Antibrule. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11826. I. S. No. 12687-r. S. No. C-1645.)

On December 23, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 bottles of Antibrule, at Memphis, Tenn., alleging that the article had been shipped on or about July 2, 1919, by the Crescent Chemical Co., Fort Worth, Tex., and transported from the State of Texas into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of picric acid and a small quantity of picrates.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottle containing the article, representing it to be effective as an analgesic, anodine, antiseptic, antipyretic, and as a remedy for croup, tonsillitis, carbuncles, gonorrhea, leucorrhea, varicose veins, ulcers, eczema, erysipelas, nasal catarrh, and itching piles, were false and fraudulent and calculated to deceive and mislead the purchaser thereof, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On or about June 4, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S360. Misbranding of Texas Wonder. U. S. \* \* \* v. 141 Bottles of Drug Products. Tried by the court. Decree of condemnation and forfeiture. Product ordered released on bond. Appeal taken to the Circuit Court of Appeals for the Fifth Circuit. Decision by said Circuit Court of Appeals affirming the judgment of the lower court. (F. & D. No. 9377. I. S. No. 6265-r. S. No. C-983.)**

On October 4, 1918, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 141 bottles, represented as drug products, at Houston, Tex., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on invoice dated September 21, 1918, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled on the carton, "A Texas Wonder, Hall's Great Discovery, Contains 43% alcohol before diluted. 5% after diluted. The Texas Wonder! Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel, Regulates Bladder Trouble in Children. One small bottle is 2 months' treatment. Price \$1.25 per bottle. E. W. Hall, Sole Manufacturer, St. Louis, Mo." The circular accompanying the article contained the following: "Louis A. Portner \* \* \* testified he began using the Texas Wonder for stone in the kidneys \* \* \* and tuberculosis of the kidneys as diagnosed by his physicians \* \* \*. He was still using the medicine with wonderful results, and his weight had increased."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of plant extractives including copaiba, rhubarb, turpentine, guaiac, and colchicin in alcohol and water.

It was alleged in the libel that said label on the carton and in the circular contained in each of the cartons, regarding the curative and therapeutic effect of said drug products or medicine, was false and fraudulent in that said drug or medicine contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it as set forth by the printed matter on the said carton, and thereby the said products were misbranded in violation of the Food and Drugs Act, and its amendments.

On July 16, 1919, the case having been tried by the court without a jury, the issues were found in favor of the Government, as will more fully appear from the following opinion by the court (Hutcheson, D. J.):

This is a libel brought by the Government of the United States for condemnation of 141 bottles, more or less, of drug products under the Act of Congress approved June 30, 1906, as amended by the act of August 23, 1912, chapter 352, and the act of March 3, 1913, chapter 107.

The said 141 bottles contained the preparation known and described as "A Texas Wonder."

The libel charged that on the carton inclosing the drug products or medicines in said bottles was printed the following label: "A Texas Wonder, Hall's Great Discovery, Contains 43% alcohol before diluted. 5% after diluted. The Texas Wonder! Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel, Regulates Bladder Trouble in Children. One small bottle is 2 months' treatment. Price \$1.25 per bottle. E. W. Hall, Sole Manufacturer, St. Louis, Mo."

That said label on said carton is false and fraudulent in that the drug or medicine contains no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it, and that the said products are thereby misbranded in violation of law.

To this libel an answer and petition in intervention was filed by E. W. Hall, the person charged in the libel to be the proprietor and distributor of this medicine, claiming therein to be the owner of said property, and among other things pleading *res adjudicata* by reason of a verdict and judgment of "not guilty" in a suit entered and tried in the United States District Court for the Eastern District of Missouri, March term, 1915, of said court, in which the United States Government was plaintiff and the said E. W. Hall was defendant. The answer further denied the allegations in the libel and specifically declared that the medicine was not misbranded, for that it would in fact produce the curative and therapeutic effects when administered as directed, as claimed for it by the defendant. He prays that the articles be released to him, and further that the United States district attorney be enjoined from further levying upon or seizing any of the defendant's goods.

The plea of former judgment is denied, as "an essential element of the offense under this act is the state of mind of defendant, a factor necessarily subject to constant change. To contend that a prosecution or proceeding which turned not as most offenses do on the commission of the overt act, but on the state of mind of the defendant, would constitute a bar to a proceeding based upon the defendant's state of mind at a later date, is essentially unsound."

On the trial of the cause the Government produced an analysis of the contents of the medicine, showing its ingredients as found by the analyst. The defendant denied the correctness of the analysis, claiming that in addition to the ingredients ascertained by the chemist to be in the medicine, there was a further ingredient of sweet spirits of niter, and that in lieu of the spirits of turpentine, as declared by the chemist, the medicine in truth and in fact contained oil of juniper.

The Government made proof by physicians of standing in the community, both upon the nature and the character of the diseases claimed to be cured, and upon the medicinal properties and effects if any of the medicine itself upon such diseases.

The proof establishes very clearly to the mind of the court that there is no medicinal treatment which will aid or relieve cases of diabetes, and that no medicine has properties which will afford relief by dissolving gravel. On these two diseases, for which the carton claims curative properties in the medicine, there can be no shadow of doubt that the entire claim is false. The Government also proved beyond question that no single medicine or combination of medicine could be helpful for all of the various forms of diseases named on the carton, and that in that respect the claims of it are false.

The evidence further established that the general claim that the medicine had curative properties for kidney and bladder troubles, without limiting the claim to particular kinds of such troubles, made the claim embrace in it certain characters of kidney afflictions, which, under the admission of the defendant himself, the medicine did not have, and could not have any curative effects upon.

The evidence further established that while in some instances a weak or lame back might possibly have its origin or explanation in some derangement of the kidney or bladder, or more properly some disturbance there, that the vast majority of weak and lame backs are ascribable to constipation, to lumbago, and to various muscular conditions having no relation whatever to kidney or bladder troubles, making it clear that the claim of the medicine in the general terms as stated must necessarily be held to be false, since in the very nature of things it was not even claimed by its manufacturer and distributor that the medicine had properties to ease muscular afflictions. So that it is clear that the carton, as to its curative properties as to weak and lame backs, also is misbranded.

As to rheumatism, much evidence was offered upon the nature and cause of rheumatism, and while it seems clear that at one time rheumatism was associated with kidney troubles, it has now come to be recognized as a specific infection, in no manner related to the kidney and bladder, and it seems also clear as to rheumatism, that the language used in the carton constitutes a case of misbranding.

As to the final claim on the carton, that it regulates bladder trouble in children, the explanation made by the defendant of the scope of that claim, that it



refers to bed wetting, indicates plainly that his use of the term is too broad, because it does not exclude other troubles than the one he claims to cure, and would be plainly calculated, therefore, to mislead.

I am therefore of the opinion that every claim made for the medicine on the carton, in the form adopted there, is false, and that a clear and undeniable case of misbranding has been made out. But it is not sufficient in a case of this kind to establish merely the falsity of the claim; it must also appear that this false claim was made fraudulently—that is, either the defendant knew it was false or without knowledge of its truth or falsity made the claim recklessly and without a firm and honest belief in its truth. This feature of the case has given me far more concern than the question of the misbranding itself.

It is clearly settled that a mere difference of medical opinion will not sustain a condemnation. *Magnetic Healing Company v. McAnnulty*, 187 U. S., 94; *U. S. v. Johnson*, 221 U. S., 499. It is equally well settled, however, *Seven Cases v. U. S.*, 239 U. S., 517, "that false and fraudulent representations may be made with respect to the curative effect of substance is obvious. It is said that the owner has the right to give his views regarding the effect of his drugs, *but state of mind is itself a fact*, and may be a material fact, and false and fraudulent representations may be made about it; and persons who make or deal in substances, or compositions, alleged to be curative, are in a position to have superior knowledge and may be held to good faith in their statements." Or, as was stated by Mr. Justice McKenna, in *U. S. against New South Farm*, 241 U. S., 71: "An article alone is not necessarily the inducement and compensation for its purchase. It is in the use to which it may be put, the purpose it may serve; and there is deception and fraud when the article is not of the character or kind represented, and hence does not serve the purpose." The defendant admits that he is not himself a physician, though many of his circulars and advertisements declare him to be "Dr. E. W. Hall," nor does he claim for himself any special medical skill or knowledge. He relies most largely upon the fact of the sales to thousands of purchasers, and the numerous and glowing testimonials about cures, which he no doubt received, as an evidence that he could not be guilty of fraud in the matter. But the slightest reflection upon the well-known fact that persons given to self-medication are credulous and partisan, and prone to deny nature credit for their recovery, and that on this well-known trait of human nature these compounders of specifics and nostrums build their business, deprives this claim of any weighty significance; because it will not do for a person who has been able to prey upon the credulity of a community to escape the consequences of his acts by the very success of his scheme. I think the matter has been excellently put by Judge Dickinson, in *U. S. against American Laboratories*, 222 Fed., 107: "The fact that there was a widely spread disposition among people to give credence to the statement because of a superstitious belief in its efficacy, or indeed such a reputation for the remedy itself as to make people prejudiced in its favor, would not diminish, but would increase, the guilt of him who sought to make money by false statements and fraudulent devices. It is difficult, and indeed practically impossible, to draw a line in the abstract other than a broad line between these two things. There would seem to be no other way of dealing with the subject than to submit to the common-sense judgment of a jury to find whether in a given case the acts of a defendant have been honest, however mistaken, or whether they have been false and fraudulent." Under this view of the matter, this court, sitting as a jury, can reach no reasonable conclusion other than that the defendant, whatever may have been the honesty or innocence of his attitude when the medicine was first put out, now knows, and knowing commits a fraud in his advertisements, that the medicine is not efficacious as a remedy in the form and manner under which it is advertised. It would be sufficient, in my judgment, to sustain the libel, for me to hold that the defendant did not know that his statements were false, but merely made them recklessly and without due regard for that fact. But I think the evidence establishes more, and leaves no doubt that the defendant is seeking by a broad and comprehensive claim for his medicine, to increase its sales, with an absolute knowledge on his part of the falsity of his advertisements, certainly as to a part of the matters claimed for it.

It is due the defendant, however, to say that the evidence establishes without serious dispute that the preparation contains in it no harmful or deleterious drug, nor is it, as compounded, deleterious when used in the manner prescribed. So that, while it is clear to my mind that the defendant has violated the statute by fraudulently misbranding his product, it is equally clear that he

does not stand before the court as a person who practices fraud upon the public for the purpose of vending a harmful and deleterious substance. The danger and injury to the public from this character of advertisement is, however, considerable, in that it induces persons to rely in serious cases, upon a preparation without healing virtue, when [but] for this reliance, they would no doubt secure proper advice and treatment for the ills which affect them.

Entertaining these views, it follows that the prayer of the libel for condemnation must be sustained, and a decree of forfeiture with costs entered, which decree of forfeiture may be, however, avoided by the claimant's paying all costs of this proceeding and making bond in the sum of \$250 conditioned as by law, provided that the goods will not be used or handled in violation of law; or the intervenor and claimant may in lieu of bond deposit with the clerk of this court in cash the sum of \$250, which said money shall be deposited on the same conditions as the conditions contained in the bond hereinbefore mentioned, and shall be held by the clerk to abide any further orders of this court to be made herein. A decree will therefore be entered in accordance herewith giving the intervenor and claimant, E. W. Hall, thirty (30) days after the final judgment in this case, within which to make his bond if he so desires, or deposit the cash as hereinbefore provided in lieu of bond, and it is directed that should the claimant and intervenor E. W. Hall not make a bond or deposit the cash, as herein provided, within the thirty (30) days allowed, that the 141 bottles of drug compound known as "Texas Wonder, Hall's Great Discovery" be destroyed. The costs of this proceeding are taxed against the claimant, E. W. Hall, and the Southern Drug Company.

Thereupon on July 21, 1919, a formal decree of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said E. W. Hall, claimant, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

Thereupon the said claimant, by his attorney, in open court, duly excepted to said judgment of the court condemning and forfeiting the drug products and gave notice of an application for a writ of error for the Circuit Court of the Fifth Circuit. Thereafter the appeal of claimant having been perfected and the matter having come on for final disposition before the Circuit Court of Appeals, on July 16, 1920, the judgment of condemnation and forfeiture decreed by the lower court was affirmed, as will more fully appear from the following decision by the said Circuit Court of Appeals, before Walker, *Circuit Judge*, and Foster and Call, *District Judges*, Walker, *Circuit Judge*, delivering the opinion of the court:

This was a libel by the United States praying that one hundred and forty-one bottles, more or less, of described drug products or medicine be seized for condemnation, and be condemned, and sold or destroyed. The libel contained allegations to the following effect: Each bottle mentioned was encased by a carton with the following printing or label thereon, to wit:

"A Texas Wonder, Hall's Great Discovery, Contains 43% alcohol before diluted. 5% after diluted. The Texas Wonder! Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel, Regulates Bladder Trouble in Children. One small bottle is 2 months' treatment. Price \$1.25 per bottle. E. W. Hall, Sole Manufacturer, St. Louis, Mo."

There was enclosed in each of the cartons a circular containing the following: "Louis A. Portner \* \* \* testified he began using the Texas Wonder for stone in the kidneys \* \* \* and tuberculosis of the kidneys as diagnosed by his physicians \* \* \*. He was still using the medicine with wonderful results, and his weight had increased."

That said label and the said carton, and the circular contained in each of said cartons, regarding the curative or therapeutic effect of the said drug or medicine are false and fraudulent, in that the said drug or medicine contains no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it as set forth by the printed matter on said carton, and thereby the said products are misbranded in violation of paragraph 3 of section 8 of the Food and Drugs Act of June 30, 1906, and the amend-

ments thereof. Said bottles were shipped in interstate commerce in a way described, and, as a result of such shipment, were, at the time of the filing of the libel, in the possession of a named party in the district in which the proceeding was instituted. The plaintiff in error intervened, claimed the bottles proceeded against, and by answer put in issue material averments of the libel. Pursuant to a stipulation of the parties waiving a trial by jury, the case was tried by the court without the intervention of a jury. The court made findings of fact to the effect that the articles libeled were transported in interstate commerce in cartons labeled as alleged, that every claim made for the medicine on the carton was false, and that the medicine as compounded has not and could not have the curative properties claimed for it; that the defendant-intervener made the claims shown on the carton recklessly and without a sincere belief in their truth, and that he had actual knowledge that the claims as made were false; and that, in so far as the question of false and fraudulent misbranding is a question of fact, the medicine as distributed was misbranded falsely and fraudulently. Based upon such findings of fact the court concluded, as a matter of law, that the bottles of medicine libeled were falsely and fraudulently misbranded within the meaning of the statute, and because thereof were subject to forfeiture and condemnation. There was a judgment in pursuance of such findings of fact and conclusion of law. The case is here on exceptions to the last-mentioned action of the court, and to rulings on objections to evidence in the course of trial.

Counsel for plaintiff in error in argument made objection to the consideration by this court of the part of the opinion rendered in the case by the district judge, which was quoted in the brief filed by the counsel for the defendant in error. This objection is based, not on a claim that there was any inaccuracy in the quotation, but on the ground that the opinion of the trial judge is not properly a part of the record to be considered by this court. If a provision of a rule of this court (Rule XIV) had been complied with, a copy of that opinion would have been a part of the record before us. The objection on the ground stated is without merit. Certainly it is not an obstacle to a proper consideration of a case by an appellate court, for it to be authentically informed by an opinion of the trial judge of the manner in which the evidence adduced was considered by him and of the reasons relied on to support the conclusions he reached.

Language used in the label is to be given the meaning ordinarily conveyed by it to those to whom it was addressed. When so read and construed it amounted to an assertion that the article referred to, if used as directed, might be expected to have a curative or alleviating effect on the classes of ailments mentioned. There was no indication of an intention to except any ailment embraced in those classes. Evidence adduced showed what were the ingredients of the article called "A Texas Wonder," and that those ingredients could not, singly or in combination, have any remedial or beneficial effect on any ailment of the kinds mentioned in the label. The plaintiff in error, the claimant below, the manufacturer and distributor of the article, was a witness in his own behalf. Admissions made by him showed that he was fully aware that his product did not, and could not, have any remedial effect on certain well-known kinds of kidney trouble. Evidence disclosed that it was bought and used as a remedy for ailments as to which admittedly it was wholly ineffective. It can not with any plausibility be contended that there was an absence of evidence to support a finding that the plaintiff in error put the articles in question into the channels of interstate trade, labeled as a cure or remedy for stated classes of ailments, when he knew that it was ineffective as to an ailment or ailments embraced in those classes, and that this was done with actual intent to deceive buyers and users of the article. Such a finding was enough to support the further conclusion that the alleged label contained a statement as to the curative or therapeutic effect of the article referred to which was false and fraudulent within the meaning of the statute. (37 St. L., 416; *Seven Cases v. United States*, 239 U. S., 510.)

It is urged in argument that there should be a reversal because of the overruling of objections to the following questions propounded by the court to a physician who was a witness for the claimant:

"I will ask you whether or not such a combination as has been read to you as contained in this bottle is recognized by the medical profession generally, or any portion of it, as a specific for either kidney or bladder troubles, diabetes, weak and lame back, rheumatism or gravel?"



"I will ask you whether any physician that you know of would advise, and I am not speaking with reference to any particular person, but whether the medical opinion crystallized by discussion and exchange of views, would recommend for treatment to a person afflicted with kidney trouble, as a great discovery or solvent of that trouble, this thing?"

"Would it be considered good or bad practice for a physician to give it to a man from the standpoint of protecting a man's health?"

The asking of the first-quoted question was justifiable by the circumstance that the witness, at a preceding stage of his examination, had made a statement to the effect that the combination of ingredients which evidence had showed constituted the article in question would have a definite and specific effect on the various organs of the body. Certainly it was not improper for the court to seek to ascertain from the witness what he meant by that statement. The negative answer given by the witness to the question made it plain that he was not to be understood as asserting that the combination in question was regarded as a specific for the class of ailments for which the label suggested its use; in other words, that it was specially adapted to have a beneficial effect with reference to such ailments.

The action of the court in overruling objections to the other questions above set out was treated in argument in behalf of the plaintiff in error as showing or indicating that the case was tried on the erroneous theory that condemnation of the articles proceeded against could be based on opinions of physicians that those articles did not possess the remedial qualities claimed for them. That the court in asking the questions and in overruling objections to them was not influenced by any such erroneous theory is made plain by the opinion rendered. That opinion discloses that it was recognized that the condemnation sought could not be adjudged unless the evidence adduced proved, (1) that the label's statement in regard to curative or therapeutic effect was false, and (2) that such statement was fraudulently made. Falsity in the label's statement of remedial effect being one of the elements required to be proved, it was not improper to admit expert evidence on that issue. On such an issue the opinions of persons whose occupation, training, and experience are such as to make them acquainted with the qualities of the ingredients of the article in question is admissible. And it is permissible to prove that these comprising such a class generally regard the ingredients of an article in question as ineffective, singly or in combination, in the treatment of ailments mentioned, and would in practice refrain from using it in such treatment because of the recognized futility of doing so. It may be assumed that if the issues of fact had been tried by a jury the objections to one or more of the questions asked might properly have been sustained as a means of keeping the jury from being confused or misled into basing their verdict on legally insufficient evidence. But when the issues were tried by the court without a jury, and there was evidence tending to prove all that was required to be proved to support the judgment rendered, and findings were made in pursuance of such evidence, and it is disclosed that the court correctly apprehended what was required to be found to support its judgment, that judgment is not to be disturbed in the absence of the record clearly showing erroneous action prejudicially affecting the substantial rights of the party seeking a reversal.

The conclusion is that the record does not show any reversible error. The judgment is affirmed.

E. D. BALL, *Acting Secretary of Agriculture.*

**8364. Adulteration and misbranding of Big G. U. S. \* \* \* v. 5 Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10212. I. S. No. 13354-r. S. No. E-1364.)**

On May 5, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen bottles of a product, labeled in part "Big G. A Non-poisonous Tonic, Antiseptic, Prepared by The Evans Chemical Co., Cincinnati, Ohio," remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on November 16, 1918, from the State of

Ohio into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel for the reason that it was labeled on the carton "A compound of Borated Goldenseal," whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding was alleged for the reason that the statement, "A compound of Borated Goldenseal," was false and misleading since the product contained no goldenseal. Misbranding was alleged in substance for the further reason that the following statements, (carton) "Big G A compound of Borated Goldenseal a remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs" (same statements in French, Spanish, and German), (bottle label) "Big G a Non-poisonous Tonic \* \* \* A Treatment for Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," (booklet) "Catarrh \* \* \* Chronic, of the Head \* \* \* Hay Fever, Inflammation of the Eye \* \* \* Cystitis, Gastritis, Catarrh of the Stomach \* \* \* Hemorrhoids, Piles, Throat Troubles \* \* \* Gonorrhœa, Gleet, Chronic Gonorrhœa, Stricture \* \* \* Folliculitis \* \* \* Gonorrhœal Prostatitis, Spermatorrhœa \* \* \* Bubo \* \* \* Gonorrhœal Cystitis \* \* \* As a preventive \* \* \* Leucorrhœa \* \* \* Whites \* \* \* Catarrh of the Vagina, Gonorrhœa in Women" (equivalent statements in Spanish, French, and German), and other statements with reference to venereal diseases, were false and fraudulent for the reason that the product contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in the statements above.

On September 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S362. Adulteration and misbranding of Salubrin. U. S. \* \* \* v. 12 Dozen Bottles of Salubrin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10319. I. S. No. 13284-r. S. No. E-1422.)**

On May 20, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of a product, labeled in part "Salubrin \* \* \* contains  $\frac{1}{2}$  liter net ethyl acetate 22.00% ethyl alcohol 48.00% ethyl aldehyde 0.03% \* \* \* American Branch: The Salubrin Laboratory Grand Crossing, Chicago, Ill.," remaining unsold in the original unbroken packages at Jamestown, N. Y., alleging that the article had been shipped on April 5, 1919, and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 41.8 per cent by volume of alcohol and 16.5 per cent by volume of ethyl acetate, and consisted essentially of alcohol, ethyl acetate, and water, with a small amount of acetic acid and traces of aldehyde.

Adulteration of the article was alleged in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance in the libel for the reason that the label aforesaid bore statements regarding the article and the ingredients and substances contained therein which were false and misleading with respect to the amount of ethyl alcohol and ethyl acetate contained in the article, and for the further reason that the package failed to bear a statement on the label of the proportion of ethyl alcohol and its derivative, ethyl acetate, contained therein. Misbranding of the article was alleged in substance for the further reason that the following statements, (carton) "Directions for use. Externally \* \* \* for Ringworm, Eczema, Pimples and other Irritated Conditions of the Skin \* \* \* For Dandruff and Falling Hair \* \* \* To break a fever or to cure a Cold \* \* \* If used in time, it will stop Pneumonia. Internally \* \* \* Salubrin \* \* \* has proved very effective in Diseases of the Throat and Lungs, to break Fevers and to cure Colds, and also as an intestinal Antiseptic in Diarrhea and Dyspepsia. In connection with proper dieting, it will relieve Rheumatic Aches and Pains, frequently due to constipation. As a Vaginal Douche in all cases of Vaginal Discharge and as Enema in cases in Hemorrhoids, Rectal Ulcers and Constipation \* \* \* in all diseases of the Nose, Throat, Bronchial Tubes and Lungs," (bottle label) "Salubrin \* \* \* will afford the most reliable protection against contagion. It is the best remedy for external injuries such as wounds \* \* \* even when blood poisoning has set in. It possesses remarkable curative properties in aches and in affections of the respiratory and digestive organs. \* \* \*" (circular) "General properties \* \* \* Moreover, Salubrin \* \* \* possesses the remarkable property of penetrating the tissues of the body and in many cases rendering harmless toxins and other poisonous substances produced by abnormal physiological conditions \* \* \* a remedy of remarkably high value in cases of fatigue and overexertion: for the care of the skin, hair, and teeth, for curing aches, burns, scalds, \* \* \* wounds and sores of all kinds \* \* \* Salubrin has further proved to be of particular importance in the treatment of many dangerous diseases, such as blood poisoning, coughs, stomach troubles, and tubercular ulcers, and medical science has thru its discovery obtained a new and powerful means of combating disease \* \* \* Directions for use \* \* \* Bacteria \* \* \* They secrete poisonous toxins causing many destructive diseases. Some are the cause of pus in wounds, others produce lock jaw, cholera, consumption, typhoid fever, etc. \* \* \* But Salubrin has the property of neutralizing toxins and if this remedy is applied after an injury or after exposure to cold, fatigue, etc., all danger may be removed. The treatment should be continued until natural vigor is restored \* \* \* Blood Poisoning \* \* \* Boils and Pimples \* \* \* Catarrhs, Colds, Cough, Consumption, Pneumonia \* \* \* Asthma \* \* \* The above modes of treatment are effective not only for preventing consumption but even for checking the ravages of tubercle bacteria \* \* \* Chills, Fever, La Grippe \* \* \* diphtheritic croup, diphtheria \* \* \* In cases of running ear (chronic purulent otitis media) no remedy equals Salubrin for quick action and permanent cure \* \* \* Erysipelas \* \* \* Numerous cases of chronically recurring Erysipelas of the face have been cured by this method \* \* \* Overstrained and inflamed eyes are much benefited by treatment with Salubrin \* \* \* Glands, swollen \* \* \* Barbers' Itch of the most stubborn character will be cured by the continued use of Salubrin \* \* \* Headache and Rheumatism \* \* \* Herpes \* \* \* Itch (Scabies) \* \* \* Poison Ivy, Poison Oak,



Prickly Heat \* \* \* Ringworm \* \* \* Shingles \* \* \* Skin Diseases \* \* \* Eczema, Milk-Blotch, Pimples (acne), psoriasis, rash, salt rheum, tetter \* \* \* Stomach Troubles, Hemorrhoids, Constipation, Diarrhea \* \* \* Thrush \* \* \* Varicose Veins \* \* \* Women's Troubles (A) For painful menstruation \* \* \* falling of the womb (C) for neuralgia pains in vagina, or womb \* \* \* Falling of the hair often follows upon confinement but is easily cured by treatment with Salubrin," were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it on the carton and bottle label and in the accompanying circular, as quoted above.

On November 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S363. Misbranding of Knoxit. U. S. \* \* \* v. 67 Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10360. I. S. No. 13283-r. S. No. E-1415.)**

On May 19, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 67 bottles of an article, labeled in part "Knoxit Liquid The Great Prophylactic. Prepared by The Beggs Mfg. Co., Chicago, Toronto," alleging that the article had been shipped on March 22, 1919, and transported from the State of Illinois into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of zinc acetate, hydrastine, and glycerin.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the cartons, bottle label, leaflet, and circular, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed: "Knoxit the great prophylactic and remedy \* \* \* a highly efficacious remedy used in the treatment of catarrhal affections of the eye, nose, throat and inflammations of the mucous membranes \* \* \* beneficial in the treatment of hemorrhoids, ulcers \* \* \* other mucous irritations."

On September 20, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S364. Misbranding of Crossman Mixture. U. S. \* \* \* v. 2½ Dozen Bottles of Crossman Mixture. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10436. I. S. No. 7782-r. S. No. C-1250.)**

On May 26, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2½ dozen bottles of a product, labeled in part (bottle) "The Crossman Mixture Alcohol by Volume 20.7% \* \* \* Recommended for the treatment of not only the active stages of simple Urethritis and of Gonorrhea, but especially of sub-acute and chronic conditions, as Gleet. \* \* \* Wright's Indian Vegetable Pill Co., sole manufacturers and guarantors 372 Pearl Street,

New York," (wrapper) "The Crossman Mixture \* \* \* Recommended for the treatment, not only of the active stages of simple Urethritis and of Gonorrhea, but especially of sub-acute and chronic conditions, as Gleet. \* \* \*," and (circular) "The Crossman Mixture For the Treatment of Gonorrhea and Gleet \* \* \*," remaining unsold in the bottles at Cincinnati, Ohio, consigned by Wright's Indian Vegetable Pill Co., New York, N. Y., on or about February 27, 1919, alleging shipment from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oils of copaiba, cubebs, and mint, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing statements regarding the curative or therapeutic effect of the article, borne upon the labels and in the wrappers and circulars accompanying the same, were false and fraudulent in that the drug contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it, and for the further reason that the product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements in and upon said packages.

On September 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8365. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 3 Drums of Gelatin. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10468, 10469, 10470. I. S. Nos. 11398-r, 11399-r, 11400-r. S. Nos. C-1270, C-1271, C-1272.)

On June 10, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 drums of gelatin, remaining unsold in the original packages at Mount Vernon, Delaware, and Athens, Ohio, respectively, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., April 16, April 30, and April 23, 1919, respectively, alleging that the article had been shipped from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Gelatine."

Adulteration of the article was alleged in the libels for the reason that it consisted in part of glue and contained zinc in the ratio of 410, 691, and 336 parts, respectively, per million, and for the further reason that in said product glue had been mixed and packed as a substitute wholly or in part for gelatin, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render it injurious to health.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, gelatin.

On February 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8366. Misbranding of Knoxit Injection and Knoxit Globules. U. S. \* \* \* v. 3 Dozen Bottles \* \* \* of Knoxit The Great Gonorrhea Remedy and 5 Dozen Bottles \* \* \* of Knoxit Globules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10513. I. S. Nos. 2636-r, 2637-r. S. No. W-402.)**

On June 18, 1919, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of drugs, labeled in part "Knoxit Injection," and 5 dozen bottles of drugs, labeled in part "Knoxit Globules," at Spokane, Wash., consigned by the Beggs Mfg. Co., Galewood, Ill., alleging that the articles had been shipped on or about September 28, 1918, and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the Food and Drug Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the injection consisted essentially of an aqueous solution of zinc acetate, hydrastine, and glycerine, and that the globules contained copaiba, oil of cassia, and probably cubeb.

Misbranding of the articles was alleged in substance in the libel for the reason that the injection did not have the curative and therapeutic effects claimed for it in the labels and circulars as a remedy and treatment for gonorrhea, gonorrhea in women, leucorrhea or whites, and as a preventive of disease, and the globules did not have the curative and therapeutic effects claimed for them in the labels and circulars thereof for the treatment of cystitis, leucorrhea, vaginitis, urethritis, gonorrhea, blennorrhea, and with respect to the soothing and effective action upon the kidneys and bladder, and said statements were false and fraudulent in that said drugs did not contain any ingredient or combination of ingredients capable of curing the diseases and ailments for which it was claimed the said drugs were a remedy.

On September 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8367. Misbranding of Brown's Blood Treatment. U. S. \* \* \* v. 36 Bottles of Brown's Blood Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10537. I. S. No. 13285-r. S. No. E-1507.)**

On June 10, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 bottles of an article, labeled in part "Brown's Blood Treatment \* \* \* B. L. Brown, sole manufacturer \* \* \*," remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on November 20, 1918, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of the iodides of potassium and mercury and sugar.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the carton, bottle label, and accompanying circular, to wit, (carton and bottle) "Brown's Blood Treatment \* \* \*



is recommended by us for the treatment of contagious blood poison," (circular) "Syphilis and blood poison \* \* \* Dr. Brown's Blood Treatment is recommended to be used in syphilitic diseases of the bones, syphilitic ulcers, syphilitic mucous patches, syphilitic and scrofulous skin diseases and diseases of the blood arising from syphilitic inoculation," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed for it on the said carton, bottle label, and accompanying circular quoted above.

On October 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8368. Misbranding of Bourbon Poultry Remedy. U. S. \* \* \* v. 25 60-cent-size Bottles, More or Less, of Bourbon Poultry Remedy and U. S. \* \* \* v. 2 Half-Gallon Packages, 6 Quart, 13 Pint, and 8 60-cent-size Bottles, More or Less, of Bourbon Poultry Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11377, 11378. I. S. Nos. 7377-r, 7378-r, 7380-r. S. Nos. C-1498, C-1500.)**

On or about October 2, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of a certain article, labeled in part "Bourbon Poultry Remedy," at New Bremen and Kenton, Ohio, alleging that the article had been shipped on or about June 30, 1919, April 17, 1919, and September 3, 1919, by the Bourbon Remedy Co., Lexington, Ky., and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing essentially aloes, sulphate of iron, copper, and magnesium, sulphuric acid, and flavoring and coloring substances.

Misbranding of the articles in each shipment was alleged in the libels in that certain statements regarding the curative or therapeutic effects of the article, appearing in the booklet accompanying, on the carton enclosing, and on the label on the package containing the article, falsely and fraudulently represented the article to be effective as a remedy for cholera, gapes, diarrhea, roup, white diarrhea, limberneck, blackhead in turkeys, canker, blood poison, and other infectious diseases, and for the cure and prevention of destructive germ diseases, whereas, in truth and in fact, it was not effective.

On January 3, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8369. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Plea of guilty. Fine, \$25. (F. & D. No. 11986. I. S. No. 14992-r.)**

On July 30, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and

Drugs Act, as amended, on or about April 16, 1919, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was misbranded. The article was labeled in part, "Net Contents 1 Quart, N. S. Monahos, Importer and Packer, New York."

Examination of a sample of the article by the Bureau of Chemistry of this department showed an average shortage of 5.29 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Quart," borne on the cans containing the article, was false and misleading in that it represented that each of said cans contained 1 quart net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 quart net, whereas, in truth and in fact, each of the cans contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 1, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**S370. Adulteration of scallops. U. S. \* \* \* v. Lewis K. Piner and M. Luther Piner (Piner Bros.).** Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8438. I. S. Nos. 1834-m, 1837-m, 1838-m, 1845-m.)

On February 8, 1918, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lewis K. Piner and M. Luther Piner, copartners, trading as Piner Bros., Morehead City, N. C., alleging shipments by said defendants, in violation of the Food and Drugs Act, on or about February 22 (2 shipments), February 26, and March 11, 1917, from the State of North Carolina into the State of New York, of quantities of scallops which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the scallops in each shipment had been soaked.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for scallops, which the article purported to be.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the said defendants, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S371. Adulteration of shell eggs. U. S. \* \* \* v. J. Niles Boyd.** Plea of guilty. Fine, \$100. (F. & D. No. 9187. I. S. No. 12610-m.)

On April 7, 1919, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. Niles Boyd, Kosciusko, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 19, 1917, from the State of Mississippi into the State of Tennessee, of a quantity of shell eggs which were adulterated.

Examination of 2 whole cases and 3 half-cases by the Bureau of Chemistry of this department showed 44.68 per cent of inedible eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On October 7, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**S372. Misbranding of Tip-Top Stock Feed. U. S. \* \* \* v. Nutriline Milling Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10060. I. S. No. 11676-r.)**

On July 28, 1919, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Nutriline Milling Co., a corporation, Crowley, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 20, 1918, from the State of Louisiana into the State of Texas, of a quantity of an article, labeled in part "Tip-Top Stock Feed \* \* \* Manufactured by Nutriline Milling Company, Crowley, La.," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 4.81 per cent of protein, 1.15 per cent of fat, and 25.85 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein not less than 7.00%, Fat not less than 2.00% \* \* \* Crude Fiber not more than 19.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 7 per cent of protein, not less than 2 per cent of fat, and not more than 19 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7 per cent of protein, not less than 2 per cent of fat, and not more than 19 per cent of crude fiber, whereas, in truth and in fact, it contained less than 7 per cent of protein, less than 2 per cent of fat, and more than 19 per cent of crude fiber.

On December 16, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S373. Misbranding of Butterfly Meal. U. S. \* \* \* v. Natchitoches Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10063. I. S. No. 19430-p.)**

On July 28, 1919, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Natchitoches Cotton Oil Co., a corporation, Natchitoches, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 27, 1918, from the State of Louisiana into the State of Kansas, of a quantity of Butterfly meal (cottonseed meal) which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 34.31 per cent of protein and 13.92 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein 38.62 to 41 per cent \* \* \* Crude Fiber 8 to 12 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false



and misleading in that it represented that the article contained not less than 38.62 per cent of protein and not more than 12 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 38.62 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less than 38.62 per cent of protein and more than 12 per cent of crude fiber.

On October 20, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8374. Misbranding of Cu-Co-Ba and Compound Extract of Cubebs with Copaiba. U. S. \* \* \* v. One Gross Package of Cu-Co-Ba and 4 Dozen Jars of Compound Extract of Cubebs with Copaiba. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10670. I. S. Nos. 7148-r, 7149-r. S. No. C-1312.)**

On or about June 27, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one gross packages of drugs, labeled in part "Cu-Co-Ba \* \* \* The Tarrant Co., \* \* \* New York, U. S. A." and 3 dozen jars of drugs, labeled in part "Compound Extract of Cubebs with Copaiba \* \* \* The Tarrant Co., New York," consigned by The Tarrant Co., New York, N. Y., April 19, 1919, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of samples of the articles by the Bureau of Chemistry of this department showed that each article consisted of a plastic mass containing oil of cubebs and copaiba.

Misbranding of the articles was alleged in substance in the libel for the reason that their packages and labels bore and contained statements regarding the curative or therapeutic effect of said drugs, to wit, (Cu-Co-Ba) " \* \* \* for gonorrhœa, gleet, whites, etc. \* \* \* Cu-co-ba 'Tarrant' \* \* \* Reduces excessive and annoying discharges. \* \* \* in inflammations and irritations of the bladder, kidneys, prostate, urethra, and vagina. Of special value in gleet, gonorrhœa, and leucorrhœa \* \* \* successfully employed in the treatment of chronic bronchitis, inflammation of the bladder \* \* \* prostatic abscess and gonorrhœa \* \* \* successfully used in inflammatory conditions of the bladder and kidneys \* \* \* leucorrhœa, vaginal gonorrhœa \* \* \* Cu-co-ba \* \* \* retards the growth of the gonococcus and other obnoxious micrococci, corrects and arrests foul discharges and promotes the healing of raw or denuded mucous surfaces. \* \* \* In inflammations of vagina, bladder and kidneys \* \* \* in irritation of prostate \* \* \* chronic catarrhal condition known as leucorrhœa or whites \* \* \* clap \* \* \* in gleet," (Compound Extract of Cubebs with Copaiba) " \* \* \* in those disorders of the kidneys, bladder, prostate, vagina and urethra in which these drugs have proved their usefulness, \* \* \* chronic catarrh with profuse secretion \* \* \* cystitis \* \* \* diseases of the mucous membranes \* \* \* catarrh and irritation of the bladder \* \* \* gonorrhœal urethritis of both male and female \* \* \* gonorrhœa of subacute or chronic type \* \* \* subacute and chronic pyelitis \* \* \* in inflammation of the bladder and urethra," which statements were false and fraudulent in that said drugs contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that said products were insufficient of themselves for the successful treatment

and cure of the ailments and diseases for which they were prescribed and recommended in the aforesaid statements.

On September 10, 1919, The Tarrant Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S375. Misbranding of Santal Midy. U. S. \* \* \* v. One Gross Bottles of Santal Midy Capsules. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 10671. I. S. No. 7177-r. S. No. C-1322.)

On or about June 27, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one gross bottles of a product, labeled in part "Santal Midy \* \* \* Capsules Bottled in the New York Laboratories of Dr. Ph. Chapelle \* \* \* L. Midy, Pharmacien De 1re Classe Maison Grimault & Cie., 8 rue Vivienne Paris," consigned by E. Fougera & Co., New York, N. Y., April 25, 1919, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the package and label bore and contained statements regarding the curative or therapeutic effect thereof, to wit, "In the treatment of gonorrhœa, gleet, and discharges from the urinary organs \* \* \* In gonorrhœa in the acute stage \* \* \* inflammation of the bladder, \* \* \* hemorrhage \* \* \* in nearly every case of hematuria the frequency of micturition \* \* \* suppurative nephritis \* \* \* catarrh of the bladder \* \* \* chronic catarrh of the bladder \* \* \* vesical catarrh of old age \* \* \* stricture of the urethra and congestion of the prostate \* \* \* In acute cystitis \* \* \* inflammation of the neck of the bladder \* \* \* assists elimination of the uric acid \* \* \*," which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that said product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements. Misbranding was alleged for the further reason that the statements quoted in French, appearing on the bottle label, and similar statements on the wrapper, not sufficiently corrected by the statement, "Bottled in the New York Laboratories of Dr. Ph. Chapelle," in inconspicuous type, were false and misleading in that said statements indicated that the product was of foreign origin, whereas, in truth and in fact, it was a domestic product.

On March 15, 1920, E. Fougera & Co. Inc., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S376. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. \* \* \* v. 6 Dozen Cartons of Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11056. I. S. No. 2041-r. S. No. W-460.)**

On or about August 15, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen cartons of a product, labeled in part "Madame Dean Antiseptic Vaginal Suppositories \* \* \* The United Medical Company, Lancaster, Pa.," remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on March 18, 1919, and transported from the State of Pennsylvania into the State of Washington, and charging misbranding in violation of the Food and Drugs Act.

The article was labeled in part, (outside carton and circular) "Madame Dean Antiseptic Vaginal Suppositories for the Relief of Vaginitis, Vulvitis, Gonorrhœal Inflammation, Leucorrhœal discharge, inflammation, congestion and ulceration of the Vagina," (retail carton) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Leucorrhœa or whites, Gonorrhœa, Inflammation, Congestion, Ulceration and other similar female complaints \* \* \*," (booklet, headed "A Friend in Need is a Friend Indeed") "Madame Dean Antiseptic Vaginal Suppositories an effectual suppository for the relief of Leucorrhœa or whites, Gonorrhœa and similar female complaints."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of a salt of bismuth, alum, boric acid, tannin, and a trace of powdered plant drug in a base of cacao butter.

Misbranding of the article was alleged in the libel for the reason that the statements appearing on the cartons and in the accompanying booklet and circular, regarding its curative and therapeutic effects, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S377. Misbranding of Forfat Brand Cotton Seed Meal. U. S. \* \* \* v. Red River Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11617. I. S. Nos. 11994-r, 12035-r, 12046-r.)**

On April 20, 1920, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Red River Oil Co., a corporation, Alexandria, La., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 23, February 5, and March 1, 1919, from the State of Louisiana into the State of Kansas, of quantities of an article, labeled "Forfat Brand Cotton Seed Meal," which was misbranded.

Examination of a representative number of sacks taken from each shipment of the article by the Bureau of Chemistry of this department showed average shortages in weight of 4.5, 3.5, and 6.4 pounds, respectively. Analysis of a sample taken from the shipment of January 23, 1919, showed that it contained 37.18 per cent of protein, 5.95 per cent of equivalent nitrogen, and 15.11 per cent of crude fiber.



Misbranding of the article with respect to all 3 shipments was alleged in the information for the reason that the statement, to wit, "100 lbs. Gross—99 lbs. net," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of the sacks contained 99 pounds of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the sacks contained 99 pounds of the article, whereas, in truth and in fact, each of the sacks did not contain 99 pounds of the article, but contained a less amount. Misbranding in each instance was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding was further alleged with respect to the shipment of January 23, 1919, for the reason that the statement, to wit, "Guaranteed Analysis \* \* \* Protein 38.55% \* \* \* Crude Fibre 12.00% \* \* \* Equivalent Nitrogen 6.17%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 38.55 per cent of protein, not less than 6.17 per cent of equivalent nitrogen, and not more than 12 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 38.55 per cent of protein, not less than 6.17 per cent of equivalent nitrogen, and not more than 12 per cent of crude fiber, whereas, in truth and in fact, said article contained less than 38.55 per cent of protein, less than 6.17 per cent of equivalent nitrogen, and more than 12 per cent of crude fiber.

On June 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8378. Adulteration and misbranding of shorts. U. S. \* \* \* v. 625 Sacks of Shorts. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12415. I. S. No. 3433-r. S. No. W-605.)**

On May 10, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 625 sacks of shorts, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Preston-Shaffer Milling Co., Athena, Oreg., on March 22, 1920, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Shorts."

Adulteration of the article was alleged in the libel for the reason that re-ground bran had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the statement "Shorts," contained in the labeling, was false and misleading and deceived and misled the purchaser.

On or about July 15, 1920, C. T. Jefferson, agent for the Preston-Shaffer Milling Co., claimant, having admitted the allegations contained in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the

costs of the proceedings and the filing of a bond in the sum of \$1,000, in conformity with section 10 of the Food and Drugs Act, conditioned that the article be used in the manufacture of mixed feed under the direction and supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**S379. Adulteration and misbranding of honey. U. S. \* \* \* v. 12 Cases \* \* \* of Queen Bee Honey. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12595. I. S. No. 3425-r. S. No. W-600.)**

On or about April 23, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases of a product, labeled in part "Queen Bee Honey, packed by the California Honey Co., Portland, Ore.," remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the California Honey Co., Portland, Ore., and transported from the State of Oregon into the State of Washington, arriving on or about October 6, 1919, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that commercial glucose had been mixed and packed with, and substituted wholly or in part for, the article, so as to reduce, lower, and injuriously affect its quality and strength. Adulteration was alleged for the further reason that it was mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statement "Queen Bee Honey" was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 16, 1920, the Matchett & Macklem Co., claimant, having admitted the allegations contained in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be released to said claimant after payment of the costs of the proceedings and the execution of a bond in the sum of \$65, in conformity with section 10 of the act, conditioned that the article should be relabeled "Compound of Honey and Glucose," under the direction and supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**S380. Adulteration and misbranding of cottonseed oil. U. S. \* \* \* v. 5 Cases of Adulterated and Misbranded Cottonseed Oil. Default decree of condemnation and forfeiture. Goods ordered sold. (F. & D. No. 10003. I. S. No. 2364-r. S. No. W-293.)**

On April 4, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases of cottonseed oil, at Portland, Ore., alleging that the article had been shipped on or about July 2, 1918, by Meyer & Lange, New York, N. Y., and transported from the State of New York into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Umberto Albertini Brand."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of cottonseed oil.

Adulteration of the article was alleged in the libel in that in said product pure cottonseed oil had been substituted wholly for the compound of olive oil.

Misbranding of the article was alleged in that the label was so designed and devised as to lead the public to believe that the article was a compound of olive oil, whereas, in truth and in fact, it contained only cottonseed oil and no olive oil whatsoever. Further misbranding was alleged in that it was offered for sale under the distinctive name, a compound of olive oil, whereas, in truth and in fact, it contained only cottonseed oil.

On December 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S381. Adulteration and misbranding of sauerkraut. U. S. \* \* \* v. 285 Cases, More or Less, of Sauerkraut. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10080. I. S. No. 11370-r. S. No. C-1160.)**

On May 6, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 285 cases of sauerkraut, at Columbus, Ohio, consigned on or about January 30, 1919, by the Scottsburg Canning Co., Scottsburg, Ind., alleging that the article was transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the average contents of the cans consisted of 23.4 ounces, or 70.1 per cent of drained kraut, and 10 ounces, or 29.9 per cent of liquor.

Adulteration of the article was alleged in the libel in that the article contained an average of 23.4 ounces of drained kraut, the balance being water, whereas it should have contained 28 ounces of drained kraut. Further adulteration was alleged in that the product had brine in excess of that contained in commercial sauerkraut, which had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding of the article was alleged in that the statement "Fancy Grade Sauerkraut," on the label on the article, was false and misleading and deceived and misled the purchaser by representing the product to be commercial sauerkraut, whereas it was sauerkraut and liquor in excess of the amount present in commercial sauerkraut.

On July 31, 1919, the Scottsburg Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation, and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S382. Adulteration and misbranding of alleged gelatin. U. S. \* \* \* v. 1 Drum Containing a Product Purporting to be Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10160. I. S. No. 11369-r. S. No. C-1202.)**

On May 6, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation



of one drum of an article purporting to be gelatin, at London, Ohio, consigned on or about March 4, 1919, by the W. B. Wood Mfg. Co., St. Louis, Mo., alleging that the article was transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted in part of glue, and that it contained 1405 parts per million of zinc.

Adulteration of the article was alleged in the libel in that glue had been mixed and packed with, and substituted wholly or in part for, gelatin. Further adulteration was alleged in that the article contained an added poisonous, deleterious ingredient, to wit, zinc, which might render the article injurious to health.

Misbranding of the article was alleged in that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On February 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8383. Adulteration and misbranding of canned corn. U. S. \* \* \* v. 735 Cases of Corn. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 10573, 10574. I. S. Nos. 7689-r, 7690-r. S. Nos. C-1289, C-1290.)**

On or about June 12, 1919, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 735 cases of corn, at Bay City, Mich., alleging that the article had been shipped on October 12, 1918, by A. A. Linton, Clarksville, Ohio, and transported from the State of Ohio into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Purest Brand Sugar Corn" and "Good Health Brand Extra Fine Sugar Corn," and each brand was also labeled "Packed by A. A. Linton Clarksville, Ohio."

Analysis of samples of the article by the Bureau of Chemistry of this department showed that the contents of the cans consisted essentially of field corn.

Adulteration of the article was alleged in the libel in that other substances, field corn, were substituted for sugar corn, which the article purported to be.

Misbranding of the article was alleged in that the label on the article indicated that the article was sugar corn, whereas it was field corn. Further misbranding was alleged in that statements on the label on the can regarding its contents were false and misleading and deceived and misled the purchaser into believing that the article was sugar corn, whereas, in fact and in truth, it was field corn.

On May 14, 1920, Hammond Standish Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8384. Misbranding of Cu-Co-Ba "Tarrant" U. S. \* \* \* v. 99 Cartons of Cu-Co-Ba "Tarrant." Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10653. I. S. No. 2024-r. S. No. W-430.)

On or about June 21, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 99 cartons of an article, labeled in part "Cu-Co-Ba 'Tarrant' The Tarrant Co., New York," remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by C. L. Huisking, New York, N. Y., November 1, 1918, and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a plastic mass containing oil of cubebs and copaiba.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing in the circulars accompanying the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented it to be effective to reduce excessive and annoying discharges, as effective in inflammation and irritations of the bladder, kidneys, prostate, urethra, and vagina, as being of special value in gleet, gonorrhea or clap, and leucorrhea, and effective in the treatment of chronic bronchitis, prostatic abscess, and vaginal gonorrhea, whereas said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8385. Misbranding of Bliss Native Herb Tablets. U. S. \* \* \* v. 11 Dozen Boxes, 50-Cent Size, and 8 Dozen Boxes \$1 Size, of Bliss Native Herb Tablets. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 11337. I. S. Nos. 2786-r, 2787-r. S. No. W-508.)

On September 27, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on October 8, 1919, an amended libel, for the seizure and condemnation of 11 dozen boxes, 50-cent size, and 8 dozen boxes, \$1 size, of Bliss Native Herb tablets, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Haslet Warehouse Co., San Francisco, Calif., on or about August 22, 1919, and transported from the State of California into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (box) " \* \* \* Indigestion, dyspepsia, auto-intoxication, sick and nervous headache, kidney and liver derangements, loss of appetite, blood impurities, etc." (circular) "Auto-intoxication is a new name for Chronic Intestinal stasis (constipation) that is the cause of 95% of human ailments and diseases. \* \* \* To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication we strongly recommend Bliss Native Herbs Tablets that successfully adjusts bowel troubles. Intestinal Indigestion \* \* \* Rheumatism Bliss Native Herbs is invaluable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargement of joints. Corrects the blood, dissolving acids that accumulate in the system. \* \* \* Dyspepsia—Indigestion \* \* \* Kid-

neys and Bladder Inflammation of the bladder, scalding urine and brick-dust sediment. Backache, sharp shooting pains in back, weakness, indicates kidney and bladder trouble. Directions—Take one or two Bliss Native Herb Tablets each night and drink frequently of water. Liver. When the liver is out of order the symptoms are pronounced headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition. Directions—Take one or two Bliss Tablets, followed by one each day until thoroughly regulated. Chronic liver ailments readily submit to treatment with Bliss Native Herbs. Catarrh This is the name of a common affection of the membrane lining of the nose and throat. It also spreads to the stomach and bowels, and the mucous is thus carried all over the body. When this disease is in the system, Bliss Native Herbs should be used to regulate the stomach and bowels and to purify the blood, thus affording the body more nourishment and force to throw off the ailment and also providing the means of carrying it from the system. Directions—One tablet each night before retiring, repeat in the morning if necessary. Deep-seated catarrhal affection whether of the head or stomach requires persistent and consistent treatment. Bliss Herbs are guaranteed effective. Grippe Influenza or epidemic catarrh, characterized by active catarrhal inflammations, attended by severe pains throughout the body, sometimes followed by disability. Directions—One to three tablets the first three nights, thereafter one-half to one tablet to warrant free bowel action. The Blood \* \* \* Bliss Native Herbs is a great blood stimulator, which also aids in benefiting many of the bodily organs, and healing the afflicted or diseased parts reached through the blood. Piles One of the principal causes of piles is constipation, produced, frequently, by straining at stool and by lack of exercise of the rectal muscles. The blood becomes stagnated, the blood vessels are enlarged and press against the delicate tissues, causing them to undergo change from healthy tissue to thickened and enlarged lumps or piles. Neglected piles soon develop into anal fistulas, ulcers of the rectum, etc. The sensible thing to do is to use Bliss Native Herb Tablets \* \* \*. Malaria, Chills and Fever Bliss Native Herbs should be taken for this ailment in dose of three tablets the first night and then one each night thereafter until every symptom has disappeared \* \* \*. 'After suffering from Piles for a long time I was induced to try Bliss Native Herbs. I am thankful to say that I did try them and they cured me completely. I shall always keep a supply on hand and will always recommend them in the highest terms to everyone that I hear of suffering from that painful and annoying disease. \* \* \*' 'I am 85 years old and I am in better health now than when I was 77, thanks to Bliss Native Herbs for they cured me of Rheumatism that I had suffered from for years, and kidney trouble which caused me no end of pain. I was advised to take Bliss Native Herbs by my sister and I have been thankful ever since, because I am free from that terrible pain in my back. I can truthfully recommend Bliss Native Herbs to all who suffer from rheumatism, kidney or liver trouble. \* \* \*' 'I was tortured as a result of abscess on the liver that the doctor said would kill me if I did not do something soon, and he treated me for some time by washing my stomach but this didn't bring me relief, so I tried Bliss Native Herb Tablets and can truthfully say that I am free from Liver or Stomach trouble. \* \* \*' 'Asthma troubled me so much that I could not lie down at nights, and my friends had given me up to die. I was advised to take Bliss Native Herbs, and before using an entire box could rest lots better. I now sleep good at nights; feel good, and can work as hard as ever. I will keep Bliss Native Herbs in my house as long as I live. \* \* \*'."



Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture containing essentially aloes, licorice, buchu, uva ursi, capsicum, and an unidentified resin-bearing drug.

It was alleged in the libel and amended libel that the article was misbranded for the reason that the aforesaid statements, regarding the curative and therapeutic effects of said article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and remedial effects claimed for said article.

On December 31, 1919, the Alonzo O. Bliss Medical Co., Washington, D. C., having admitted through its attorney the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8386. Misbranding of cottonseed meal and cake. U. S. \* \* \* v. Louisiana Cotton Oil Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11803. I. S. No. 11976-r.)**

On February 26, 1920, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Louisiana Cotton Oil Co., Shreveport, La., alleging shipment by said defendant, on or about January 18, 1919, in violation of the Food and Drugs Act, as amended, from the State of Louisiana into the State of Kansas, of a quantity of an article, labeled in part "Southland Brand Cotton Seed Meal and Cake, 100 Pounds Gross," which was misbranded.

Misbranding of the article was alleged in the information in that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On April 23, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8387. Adulteration and misbranding of canned salmon. U. S. \* \* \* v. 2,356 Cases, 48 Cans Each, of a Product Labeled on Cases "Four Doz. Tall and Pound Cans Alex Brand Puget Sound Pink Salmon." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11819. I. S. Nos. 3958-r, 3063-r. S. No. W-556.)**

On or about December 16, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure of a certain quantity of a certain article, labeled in part "Alex Brand Puget Sound Pink Salmon," at Seattle, Wash., arriving on or about October 12, 1919, shipped by the Baranoff Packing Co., Red Bluff Bay, Alaska, alleging that the article had been transported from the Territory of Alaska into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in part of a filthy, decomposed, and putrid animal substance.

Misbranding of the article was alleged in that it was labeled "Puget Sound Pink Salmon," which was false and misleading, since the article was produced in Alaska.

On July 15, 1920, the Baranoff Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$10,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S388. Misbranding of cottonseed cake and meal. U. S. \* \* \* v. Union Seed & Fertilizer Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12107. I. S. No. 6960-r.)**

On April 20, 1920, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed & Fertilizer Co., Monroe, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 28, 1919, from the State of Louisiana into the State of Kansas, of a quantity of an article, labeled in part "Choctaw Standard Cottonseed Cake and Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product contained 38.94 per cent of crude protein and 12.78 per cent of crude fiber.

Misbranding of the article was alleged in the information in that the following statement, to wit, "Guaranteed Analysis: Protein, not less than 41% \* \* \* Crude Fiber, not more than 12%," borne on the tags on the bags, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 41 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less than 41 per cent of protein and more than 12 per cent of crude fiber.

On May 19, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S389. Adulteration and misbranding of canned salmon. U. S. \* \* \* v. 3,655 Cases of Salmon Labeled "4 Doz. 1 Lb. Tall Cans Table Pride Brand Alaska Salmon Columbia Salmon Company, Seattle, Washington," and 2,950 Cases of Salmon Labeled "4 Doz. 1 Lb. Tall Cans Everybody's Brand Alaska Pink Salmon Columbia Salmon Company, Seattle, Washington." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 12572. I. S. Nos. 3416-r, 3417-r. S. No. W-594.)**

On April 5, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of canned salmon, at Seattle, Wash., consigned on or about October 7, 1919, by the Columbia Salmon Co., Tenakee Inlet, Alaska, alleging that the article had been transported from the Territory of Alaska into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Table Pride Brand Alaska Salmon" and "Everybody's Brand Alaska Pink Salmon."

Adulteration of the article under both labels was alleged in the libel in that the article consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

Misbranding of the article under the label "Everybody's Brand" was alleged in that the statement on the cans, "Fresh Salmon," was false and

misleading and deceived and misled the purchaser because the product was partly decomposed.

On July 15, 1920, the Columbia Salmon Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8390. Adulteration of raisins. U. S. \* \* \* v. 370 Cases, More or Less, of Raisins. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 9947. S. No. C-1128.)**

On March 29, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 370 cases of raisins, at Minneapolis, Minn., alleging that the article had been shipped on or about December 17, 1918, by the Bonner Packing Co., Locans, Calif., and transported from the State of California into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Locans Brand Seeded Raisins packed by Locan Packing Co., Fresno, Calif."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the packages were contaminated with sand and dirt.

Adulteration of the article was alleged in the libel in that a substance, to wit, sand, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality, and in that it consisted in whole or in part of a filthy vegetable substance.

On July 21, 1919, the Bonner Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$700, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8391. Misbranding of Wilson's Solution Anti-Flu. U. S. \* \* \* v. 273 Dozen Bottles of Wilson's Solution Anti-Flu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10016. I. S. No. 6893-r. S. No. C-1149.)**

On April 12, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of Wilson's Solution Anti-Flu, at Atlanta, Ga., consigned by the Cooper Medicine Co., Dayton, Ohio, alleging that the article had been shipped on or about April 8, 1919, and transported from the State of Ohio into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of volatile oils and camphors, including methyl salicylate, thymol, and oil of eucalyptus.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the package containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to



be effective as a powerful antiseptic to be used as a preventive against influenza, colds, and grippe, whereas, in truth and in fact, it was not effective.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8392. Adulteration of raisins. U. S. \* \* \* v. 135 Cases, More or Less, of Raisins. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10065. I. S. No. 6928-r. S. No. C-1164.)**

On April 19, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 135 cases of raisins, at Minneapolis, Minn., alleging that the article had been shipped on or about December 18, 1918, by the Bonner Packing Co., Locans, Calif., and transported from the State of California into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Locans Brand Seeded Raisins packed by Locan Packing Co., Fresno, Calif."

Analyses of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the packages were contaminated with sand and dirt.

Adulteration of the article was alleged in the libel in that a substance, to wit, sand, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality, and in that it consisted in whole or in part of a filthy vegetable substance.

On July 21, 1919, the Bonner Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$300, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8393. Misbranding of Salubrin A and Salubrin B. U. S. \* \* \* v. 10 Dozen Bottles of Salubrin A and 6 Dozen Bottles of Salubrin B. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10405, 10406. I. S. Nos. 2384-r, 2385-r. S. Nos. W-374, W-375.)**

On May 22, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen bottles of an article of drugs, labeled in part "Salubrin A," and 6 dozen bottles of an article of drugs, labeled in part "Salubrin B," remaining in the original unbroken packages at Portland, Oreg., alleging that the articles had been shipped by The Salubrin Laboratory, Grand Crossing, Ill., on April 1, and April 7, 1919, and transported from the State of Illinois into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they both consisted essentially of alcohol, ethyl acetate, water, acetic acid, and a trace of aldehyde. Solution B was perfumed.

The articles were labeled in part, (carton) "Directions for use. Externally \* \* \* For Ringworm, Eczema, Pimples and other Irritated Conditions of

the Skin \* \* \* For Dandruff and Falling Hair \* \* \* To break a Fever or to cure a Cold \* \* \* If used in time, it will stop Pneumonia. Internally \* \* \* Salubrin \* \* \* has proved very effective in Diseases of the Throat and Lungs, to break Fevers and to cure Colds, and also as an Intestinal Antiseptic in Diarrhea and Dyspepsia. In connection with proper dieting, it will relieve Rheumatic Aches and Pains, frequently due to constipation. As a Vaginal Douche in all cases of Vaginal Discharge and as an Enema in cases of Hemorrhoids, Rectal Ulcers and Constipation \* \* \*. In all Diseases of the Nose, Throat, Bronchial Tubes and Lungs," (bottle) "Salubrin \* \* \* will afford the most reliable protection against contagion. It is the best remedy for external injuries such as wounds \* \* \* even when blood poisoning has set in it possesses remarkable curative properties in aches and in affections of the respiratory and digestive organs. \* \* \*," (circular) "General Properties \* \* \* Moreover, Salubrin \* \* \* possesses the remarkable property of penetrating the tissues of the body and in many cases rendering harmless toxins and other poisonous substances produced by abnormal physiological conditions \* \* \* a remedy of remarkably high value in cases of fatigue and overexertion, for the care of the skin, hair, and teeth, for curing aches, burns, scalds \* \* \* wounds and sores of all kinds. \* \* \* Salubrin has further proved to be of particular importance in the treatment of many dangerous diseases such as blood poisoning, coughs, stomach troubles, and tubercular ulcers, and medical science has thru its discovery obtained a new and powerful means of combating disease. \* \* \* Directions for use \* \* \* Bacteria \* \* \* They secrete poisonous toxins, causing many destructive diseases. Some are the cause of pus in wounds, others produce lockjaw, cholera, consumption, typhoid fever, etc \* \* \* But Salubrin has the property of neutralizing toxins, and if this remedy is applied after an injury, or after exposure to cold, fatigue, etc., all danger may be removed. The treatment should be continued until natural vigor is restored \* \* \* Blood Poisoning \* \* \* Boils \* \* \* Pimples \* \* \* Catarrhs, Colds, Cough, Consumption, Pneumonia \* \* \* Asthma \* \* \*. The above modes of treatment are effective not only for preventing consumption but even for checking the ravages of tubercle bacteria \* \* \* Chills, Fever, La Grippe \* \* \* Diphtheria, Croup \* \* \* In cases of running ear (chronic purulent otitis media) no remedy equals Salubrin for quick action and permanent cure \* \* \* Erysipelas \* \* \* Numerous cases of chronically recurring Erysipelas of the face have been cured by this method \* \* \* Overstrained and inflamed eyes are much benefited by treatment with Salubrin \* \* \* Glands, swollen \* \* \* Barbers' Itch of the most stubborn character will be cured by the continued use of Salubrin \* \* \* Headache and Rheumatism \* \* \* Herpes \* \* \* Itch (scabies) \* \* \* Poison Ivy, Poison Oak, Prickly Heat \* \* \* Ringworm \* \* \* Shingles \* \* \* Skin Diseases \* \* \* eczema, milk-blotch, pimples (acne); psoriasis, rash, salt-rheum, tetter \* \* \* Stomach Troubles, Hemorrhoids, Constipation, Diarrhea \* \* \* Thrush \* \* \* Varicose Veins \* \* \* Women's Troubles (A) For painful menstruation \* \* \* falling of the womb; (C) For neuralgic pains in vagina, or womb \* \* \* Falling of the hair often follows upon confinement but is easily cured by treatment with Salubrin."

Misbranding of the articles was alleged in substance in the libel for the reason that the foregoing statements, designs, and devices upon each of said bottles and cartons and in the circular accompanying the articles, regarding the curative and therapeutic effects of said drugs and the ingredients and substances contained therein, were false and fraudulent in that said drugs and bottles con-

tained no ingredients or combination of ingredients capable of producing the curative and remedial therapeutic effects claimed.

On October 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S894. Adulteration and misbranding of butter. U. S. \* \* \* v. 600 Tubs, 350 Tubs, and 300 Tubs of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 10913, 10914, 11053. I. S. Nos. 7730-r, 7731-r, 7734-r. S. Nos. C-1400, C-1401, C-1405.)**

On August 5, August 6, and August 8, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure of 600 tubs, 350 tubs, and 300 tubs, respectively, of butter, alleging that a portion of the article had been shipped by the F. J. Munn Co., on July 24, and July 28, 1919, a portion by the Crescent Creamery Co., on July 25, 1919, and a portion by Miller & Holmes, on July 28, 1919, all located at St. Paul, Minn., and transported from the State of Minnesota into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article in each shipment was alleged in the libels for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted in part for the article, and for the further reason that a valuable constituent of the article, to wit, butter fat, had been in part abstracted from said article.

Misbranding of the article in each shipment was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On November 1, 1919, the F. J. Munn Co., the Crescent Creamery Co., and Miller & Holmes, of St. Paul, Minn., claimants, having admitted the allegations of the libels and consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of bonds in the sum of \$1,000 each, in conformity with section 10 of the act, conditioned in part that the article be reprocessed under the supervision of representatives of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**S895. Adulteration of raisins. U. S. \* \* \* v. 130 Cases Each Containing 25 Pounds Net of Loose Raisins. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10920. I. S. No. 2045-r. S. No. W-459.)**

On or about August 9, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 130 cases of loose raisins, at Seattle, Wash., consigned by Chaddock & Co., Fowler, Calif., alleging that the article was shipped on or about May 2, 1919, from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.



Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was contaminated with sand, and that the contents consisted in part of moldy raisins.

Adulteration of the article was alleged in the libel in that it had been mixed and packed with an article so as to reduce and lower and injuriously affect its quality and strength, and in that it consisted in whole or in part of a decomposed vegetable substance.

On November 7, 1919, Matchett Macklem Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$350, conditioned in part that the raisins be not used for human food or consumption.

E. D. BALL, *Acting Secretary of Agriculture.*

**S8396. Misbranding of Gillen's Cholera Remedy. U. S. \* \* \* v. 248 Cases, More or Less, of a Product Labeled in Part, "Gillen's Cholera Remedy." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11072. I. S. Nos. 9415-r, 9416-r. S. No. C-1412.)**

On August 14, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 248 cases of Gillen's Cholera Remedy, at New Athens, Ill., consigned by the Gillen Remedy Co., Atlanta, Ga., alleging that the article had been shipped on or about March 20, 1919, and transported from the State of Georgia into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Gillen's Hog Remedy for Hogs and Chickens."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of saponified tar oil and sodium sulphate.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the package containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a treatment and as a preventive for cholera in hogs and chickens and for sore head and roup and white diarrhea in little chicks, whereas, in truth and in fact, it was not.

On June 30, 1920, the United Stock Remedies Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$2,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S8397. Misbranding of Benetol Vaginal Suppositories. U. S. \* \* \* v. 141 Packages, 50-Cent Size, and 21 Packages, \$1 Size, of Benetol Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11487, 11488. I. S. Nos. 3049-r, 3050-r. S. Nos. W-522, W-523.)**

On or about October 19, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 141 packages, 50-cent size, and 21 packages,

\$1-size, of Benetol vaginal suppositories, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Washington, arriving at Seattle on or about August 25, 1919, and October 19, 1919, respectively, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of alpha and beta-naphthol, boric acid, and traces of menthol and phenol in a cacao butter base.

Misbranding of the article in both shipments was alleged in substance in the libels for the reason that certain statements appearing on the labeling of the box containing the article and in the booklet accompanying it, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented it to be effective for the treatment of the special diseases of women and for the treatment of leucorrhea (whites), vaginitis, vulvitis, cervicitis, endometritis, gonorrhea, and all diseases of the vagina, for inflammation or irritation of the cervix (mouth of the womb), for the treatment of sexual diseases, and as a general disinfectant and local tonic, whereas it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 16, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8398. Adulteration and misbranding of evaporated apples. U. S. \* \* \* v. 23 Boxes, More or Less, of Alleged Evaporated Apples Labeled in Part, "50 Pounds Sunset Brand Evaporated or Dried Product of Apples Prepared with Sulphur Fumes New Crop Faultless Blending of American Apples, J. W. Teasdale & Co." Consent decree of condemnation and forfeiture. Product released on bond. (E. & D. No. 12256. I. S. No. 10626-r. S. No. C-1792.)**

On or about March 2, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of alleged evaporated apples, at Danville, Ill., consigned by J. W. Teasdale & Co., St. Louis, Mo., alleging that the article had been shipped on or about January 13, 1920, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Sunset Brand Evaporated or Dried Product of Apples."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained an excessive quantity of water.

Adulteration of the article was alleged in the libel in that an excessive amount of water had been mixed with, and substituted wholly or in part for, evaporated apples, which the article purported to be.

Misbranding of the article was alleged in that the statement on the label on the box containing the article, "Sunset Brand Evaporated or Dried Apples," was false and misleading and deceived and misled the purchaser into the belief that the article was evaporated or dried apples, whereas it was not, and for the further reason that the article was offered for sale under the distinctive name of another article.

On June 30, 1920, J. W. Teasdale & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and

it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture*.

**8399. Adulteration and misbranding of Orange Dee-Light. U. S. \* \* \* v. 7 Cans, More or Less, of Orange Dee-Light. Default decree of condemnation, forfeiture, and destruction. (E. & D. No. 13185. I. S. No. 7897-t. S. No. E-2458.)**

On or about July 17, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Orange Dee-Light," at Philadelphia, Pa., alleging that the article had been shipped on or about July 8, 1920, by the California Fruit Product Co., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion containing glycerin, sugar, and saccharin flavored with oil of orange and colored with a coal-tar color known as orange I.

Adulteration of the article was alleged in the libel in that a sirup flavored with oil of orange and artificially colored had been mixed and packed with, and substituted wholly or in part for, the article. It was further adulterated in that it was colored in a manner whereby its inferiority was concealed. It was further adulterated in that it contained an added poisonous or other added deleterious ingredient, saccharin, which might render the article injurious to health.

Misbranding of the article was alleged in that the statement on the label, "Hand pressed from Fresh Ripe Oranges Orange Dee-Light Too high carbonation has a tendency to destroy the fine fruity flavor of the Orange," was false and misleading and deceived and misled the purchaser. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture*.

**8400. Adulteration and misbranding of canned salmon. U. S. \* \* \* v. 1,775 Cases, 48 Cans Each, \* \* \* of Alex Brand Puget Sound Pink Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (E. & D. No. 11823. I. S. No. 3064-r. S. No. W-559.)**

On or about December 19, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,775 cases, 48 cans each, of Alex Brand Puget Sound pink salmon, remaining in the original unbroken packages, at Seattle, Wash., alleging that the article had been shipped by the Baranoff Packing Co., Red Bluff Bay, Alaska, on or about October 5, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act.



Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

Misbranding was alleged for the reason that the article was labeled "Puget Sound Pink Salmon," which was false and misleading since the article was produced in Alaska.

On July 15, 1920, the Baranoff Packing Co., Red Bluff Bay, Alaska, claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that the good portion thereof be separated from that unfit for food and the bad portion destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

# INDEX TO NOTICES OF JUDGMENT 8351 TO 8400.

*\* Cases containing decisions of the courts or instructions to juries.*

	N. J. No.		N. J. No.
Antibrule:		Feed—Continued.	
Crescent Chemical Co.-----	8359	cottonseed meal and cake:	
Anti-flu solution:		Louisiana Cotton Oil Co.---	8386
Cooper Medicine Co.-----	8391	meal:	
Apples, evaporated:		Natchitoches Cotton Oil Co.---	8373
Teasdale, J. W., & Co.-----	8398	shorts:	
Benetol vaginal suppositories:		Preston-Shaffer Milling Co.---	8378
Benetol Co.-----	8397	stock:	
Big G:		Nutriline Milling Co.-----	8372
Evans Chemical Co.-----	8361	wheat middlings:	
Bliss native herb tablets:		Gambrell, C. A.-----	8357
Haslet Warehouse Co.-----	8355	Fish, salmon:	
Blood treatment, Brown's:		Baranoff Packing Co.---	8387, 8400
Brown, B. L.-----	8367	Columbia Salmon Co.-----	8389
Borated goldenseal. <i>See</i> Big G.		G. S.:	
Bourbon poultry remedy:		Gross, L. M.-----	8351
Bourbon Remedy Co.-----	8368	Gelatin:	
Brown's blood treatment:		Wood, W. B., Mfg. Co.---	8365, 8382
Brown, B. L.-----	8367	Gillen's Cholera Remedy:	
Butter:		Gillen Remedy Co.-----	8396
Crescent Creamery Co.-----	8394	Goldenseal, borated. <i>See</i> Big G.	
Miller & Holmes.-----	8394	Herb tablets. <i>See</i> Tablets.	
Munn, F. J., Co.-----	8394	Honey:	
Capsules, Santal Midy:		California Honey Co.-----	8379
Fougere, E., & Co.-----	8375	Injection, Knoxit:	
Cholera remedy:		Beggs Mfg. Co.-----	8366
Gillen Remedy Co.-----	8396	Knoxit:	
Copaiba, cubebs with. <i>See</i> Extract.		Beggs Mfg. Co.-----	8363, 8366
Corn, canned:		Meal. <i>See</i> Feed.	
Linton, A. A.-----	8383	Oil, cottonseed:	
Cottonseed cake and meal. <i>See</i> Feed.		Meyer & Lange.-----	8380
meal. <i>See</i> Feed.		olive:	
meal and cake. <i>See</i> Feed.		Monahan, N. S.-----	8369
oil. <i>See</i> Oil.		Olive oil. <i>See</i> Oil.	
Crossman Mixture:		Orange Dec-Light:	
Wright's Indian Vegetable		California Fruit Product	
Pill Co.-----	8364	Co.-----	8399
Cubebs with copaiba. <i>See</i> Extract.		Oysters:	
Cu-Co-Ia "Tarrant":		Underhill, J. J., Co.-----	8353
Tarrant Co.-----	8374, 8384	Poultry remedy:	
Dean, Madame, antiseptic vaginal		Bourbon Remedy Co.-----	8368
suppositories:		Raisins:	
Rudy, Martin.-----	8376	Bonner Packing Co.---	8390, 8392
Eggs:		Chaddock & Co.-----	8395
Boyd, J. Niles.-----	8371	Salmon. <i>See</i> Fish.	
Kuhn, A. S.-----	8352	Salubrin:	
Sandstone Cooperative Co.---	8354	Salubrin Laboratory.---	8362, 8393
Evaporated apples. <i>See</i> Apples.		Santal Midy capsules:	
Extract, cubebs with copaiba:		Fougere, E., & Co.-----	8375
Tarrant Co.-----	8374	Sauerkraut:	
Feed, cottonseed cake and meal:		Scottsburg Canning Co.---	8381
Union Seed & Fertilizer Co.---	8388	Scallops:	
cottonseed meal:		Piner Bros.-----	8370
Brownsville Cotton Oil &		Shorts. <i>See</i> Feed.	
Ice Co.-----	8355		
Red River Oil Co.-----	8377		

Stock feed. <i>See</i> Feed.	N. J. No.	Tomatoes, canned:	N. J. No.
Suppositories, vaginal:		Monumental Canning Co----	8356
Benetol Co -----	8397	Vaginal suppositories. <i>See</i> Supposi-	
Rudy, Martin-----	8376	tories.	
Tablets, herb:		Wheat middlings. <i>See</i> Feed.	
Haslet Warehouse Co-----	8385	Wilson's Solution Anti-Flu:	
Texas Wonder:		Cooper Medicine Co -----	8391
Hall, E. W.-----	8358, * 8360		



## United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8401-8450.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 28, 1921.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**8401. Adulteration of tomato catsup. U. S. \* \* \* v. 395 Cases of Woods Cross Brand Catsup. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 9173. I. S. No. 16089-p. S. No. W-234.)**

On August 12, 1918, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of tomato catsup, at Butte, Mont., consigned by the Woods Cross Canning Co., Woods Cross, Utah, alleging that the article had been shipped on December 6, 1917, and transported from the State of Utah into the State of Montana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Woods Cross Brand Catsup Factories at Woods Cross, Clearfield and Layton, Utah."

Adulteration of the article was alleged in the libel in that it consisted in part of decomposed vegetable substance.

On September 24, 1918, the Woods Cross Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$2,500, in conformity with section 10 of the act.<sup>1</sup>

E. D. BALL, *Acting Secretary of Agriculture.*

**8402. Misbranding of Char-Med-Sal. U. S. \* \* \* v. 24 10-Pound Boxes and 12 20-Pound Boxes, More or Less, of a Product Labeled in Part "Char-Med-Sal \* \* \* Hog Raisers \* \* \* Blackman Stock Remedy Company, Chattanooga, Tenn." Default decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 9178, 9179, 9259, 9260. I. S. Nos. 10013, 10023. S. Nos. C-939, C-958.)**

On August 6, 1918, and on or about August 16, 1918, the United States attorney for the Eastern District of Illinois, acting upon a report by the Seere-

<sup>1</sup> The product was returned to Woods Cross, Utah, and there destroyed by the manufacturer.

tary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of a certain article, labeled in part "Char-Med-Sal," at Stonefort, Cypress, and Sparta, Ill., consigned on or about May 18, 1918, and June 4, 1918, by the Blackman Stock Remedy Co., Chattanooga, Tenn., alleging that the article was transported from the State of Tennessee into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture composed essentially of sodium chlorid, charcoal, iron oxid, sulphur, sulphates of iron and magnesium, and a small amount of strychnine.

Misbranding of the article was alleged in the libels in that certain statements appearing on the label on the package containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented it to be effective as a remedy for the prevention of hog cholera, whereas, in truth and in fact, it was not effective.

The above case having been consolidated, on July 11, 1919, the Blackman Stock Remedy Co., claimant, having withdrawn its answer and claim, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings, and the filing of a bond in the sum of \$2,600, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8403. Adulteration of raisins. U. S. \* \* \* v. 300 Cartons, More or Less, of Raisins. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9924. I. S. No. 6921-r. S. No. C-1108.)**

On March 22, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cartons of raisins at Minneapolis, Minn., alleging that the article had been shipped on or about December 17, 1918, by the Bonner Packing Co., Locans, Calif., and transported from the State of California into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "California Muscatel Raisins Fancy Quality Bonner's Seeded Raisins Special Pack, Bonner Fresno."

Adulteration of the article was alleged in the libel in that a substance, to wit, sand, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality.

On July 21, 1919, the Bonner Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$700, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8404. Adulteration of oranges. U. S. \* \* \* v. 231 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11889. I. S. No. 3107-r. S. No. W-565.)**

On January 22, 1920, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 231 boxes of oranges, remaining in the original unbroken packages at Portland,

Oreg., alleging that the article had been shipped by the Produce Fruit Co., Lindsey, Calif., on December 26, 1919, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 6, 1920, R. L. Phillippi, claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$462, in conformity with section 10 of the act, and with the proviso that such oranges as were fit for human consumption might be made into marmalade.

E. D. BALL, *Acting Secretary of Agriculture.*

**8405. Misbranding of salted anchovies. U. S. \* \* \* v. 4½ Cases of Salted Anchovies and U. S. \* \* \* v. 4 Cases of Salted Anchovies. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. Nos. 12534, 12535. I. S. No. 13463-r. S. No. E-2049.)

On April 1, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of salted anchovies, at Belle Vernon and New Castle, Pa., alleging that the article had been shipped on or about October 16, 1919, from Monterey, Calif., and transported from the State of California into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Salted Anchovies especially selected and packed by Cardinale and Lafata, Monterey, Calif."

Misbranding of the article was alleged in the libels in that the label on the package containing the article, to wit, "Net weight 25 lbs.," was false and misleading and deceived and misled the purchaser, in that the average gross weight of the package was 23 pounds, 11 ounces, the weight of the fish being 15 pounds, 15 ounces, tin and wood, 2 pounds, salt and brine making up the balance. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight and measure.

On May 8, 1920, Cardinale & Lafata, claimants, having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the claimants upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$150 in each case, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8406. Adulteration of evaporated apples. U. S. \* \* \* v. 25 Boxes, More or Less, of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 12548. I. S. No. 7762-r. S. No. C-1883.)

On April 9, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 boxes of evaporated apples, at Minneapolis, Minn., alleging that the article had been shipped on or about February 20, 1920, by A. C. Hamilton &



Co., Fayetteville, Ark., and transported from the State of Arkansas into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ulster Brand Evaporated Apples."

Adulteration of the article was alleged in the libel in that a product containing excessive moisture had been mixed and packed with, and substituted wholly or in part for, the article.

On May 8, 1920, W. J. Hamilton, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S407. Adulteration of raisins. U. S. \* \* \* v. 3,930 Boxes of Raisins. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12553. I. S. No. 13472-r. S. No. E-2065.)**

On April 14, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3,930 boxes of raisins, at Pittsburgh, Pa., alleging that the article was shipped on or about February 24, 1920, by Haas Bros., San Francisco, Calif., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "California Red Berry Muscat Raisins Packed by Calif. Asso. Raisin Co."

Adulteration of the article was alleged in the libel in that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On June 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that Haas Bros., shippers, pay the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**S408. Adulteration of raisins. U. S. \* \* \* v. 2,400 Boxes of Alleged Raisins. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12570. I. S. No. 13471-r. S. No. E-2056.)**

On April 1, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,400 boxes of raisins at Pittsburgh, Pa., alleging that the article had been shipped on or about February 2, 1920, by E. Y. Foley, Fresno, Calif., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "One Crown Raisins."

Adulteration of the article was alleged in the libel in that it consisted wholly or in part of filthy, putrid, and decomposed vegetable substance.

On May 11, 1920, The Pennsylvania Macaroni Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$1,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8409. Adulteration of evaporated apples. U. S. \* \* \* v. 15 Boxes of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12582. I. S. No. 7763-r. S. No. C-1886.)**

On April 16, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 boxes of evaporated apples at St. Cloud, Minn., alleging that the article was shipped on or about February 25, 1920, by A. C. Hamilton & Co., Fayetteville, Ark., and transported from the State of Arkansas into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ulster Brand Evaporated Apples \* \* \* Packed by A. C. Hamilton & Co. Fayetteville, Ark."

Adulteration of the article was alleged in the libel in that a product containing excessive moisture had been mixed and packed with, and substituted in part for, the article.

On May 8, 1920, W. J. Hamilton, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings, and the filing of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8410. Misbranding of Salubrin. U. S. \* \* \* v. 36 Dozen Bottles of a Drug Labeled "Salubrin." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10402. I. S. No. 2635-r. S. No. W-377.)**

On May 22, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 dozen bottles of Salubrin, at Seattle, Wash., consigned by The Salubrin Laboratory, Grand Crossing, Ill., on February 4 and 18, 1919, and March 21, 1919, alleging that the article had been shipped from Chicago, Ill., and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of alcohol, ethyl acetate, acetic acid, water, and a trace of aldehyde.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing in the circular accompanying, on the carton inclosing, and on the label on the bottle containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for ringworm, eczema, pimples, and other irritated conditions of the skin, dandruff, falling hair, to break a fever or to cure a cold, stop pneumonia, for diseases of the throat and lungs, fevers, colds, an antiseptic in diarrhea and dyspepsia, rheumatic aches, pains frequently due to constipation, as a vaginal douche, in all cases of vaginal discharge, as an enema in cases of hemorrhoids, rectal ulcers and constipation, in all cases of the nose, throat, bronchial tubes, and lungs, remedy for external injuries, in affections of the respiratory and digestive organs, for the care of the skin, hair, and teeth, for curing aches, burns, scalds, wounds, and sores of all kinds, tubercular ulcers, blood poisoning, boils, consumption, pneumonia, asthma, chills, fever, la grippe, diphtheric croup, diphtheria, running ear, purulent otitis media, neuralgia, pains

in vagina or womb, falling of the hair, and certain other diseases and disorders, whereas, in truth and in fact, it was not effective.

On March 15, 1920, Seth H. Lindahl, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the filing of a bond in the sum of \$400, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S411. Misbranding of Stops It In One Day. U. S. \* \* \* v. 4 Dozen Bottles, More or Less, of a Drug Labeled "Stops It In One Day." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10845. I. S. No. 7150-r. S. No. C-1376.)**

On July 21, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles of Stops It In One Day, at Cincinnati, Ohio, consigned on or about April 22, and May 29, 1919, by the O. K. Remedy Co., Brazil, Ind., alleging that the article had been transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, a bottle containing a dilute solution of berberine sulphate and a tube containing a mixture of potassium permanganate and potassium sulphate.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing in the circulars accompanying, on the carton inclosing, and on the label on the bottle containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for gonorrhea, gleet, leucorrhea or whites, and venereal diseases of men and women, whereas, in truth and in fact, it was not effective.

On March 10, 1920, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S412. Adulteration of raisins. U. S. \* \* \* v. 100 Boxes, 50 Pounds Each, and 220 Boxes, 25 Pounds Each, of Raisins. Consent decree of condemnation. Product released on bond. (F. & D. No. 10853. I. S. Nos. 2037-r, 2039-r. S. No. W-442.)**

On or about July 19, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 boxes, 50 pounds each, and 220 boxes, 25 pounds each, of raisins, remaining in the original unbroken packages at Tacoma, Wash., alleging that the article had been shipped by Chadlock & Co., Fowler, Calif., and transported from the State of California into the State of Washington, arriving at Tacoma, Wash., on or about July 17, 1919, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and for the further reason that a substance, to wit, sand, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.



On August 1, 1919, P. Pagni and G. Cinelli, copartners, trading as G. Cinelli Co., claimants, Tacoma, Wash., having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S413. Adulteration of raisins. U. S. \* \* \* v. 2,400 Boxes of Raisins Labeled "25 Pounds Net Two Crown Loose Muscat Raisins." Judgment of condemnation and forfeiture. Product released on bond. (F. & D. No. 11150. I. S. No. 2042-r. S. No. W-475.)**

On or about August 29, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of raisins, at Seattle, Wash., consigned by Rosenberg Bros. & Co., at Fresno, Calif., alleging that the article had been shipped on or about July 17, 1919, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Two Crown Loose Muscat Raisins."

Adulteration of the article was alleged in the libel in that sand had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On January 12, 1920, Rosenberg Bros. & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and the product was ordered released to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$2,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S414. Misbranding of Stearns Santaloids. U. S. \* \* \* v. 2 Dozen Packages of Stearns Santaloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11486. I. S. No. 3046-r. S. No. W-520.)**

On or about October 25, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen packages of Stearns Santaloids, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Frederick Stearns & Co., San Francisco, Calif., and transported from the State of California into the State of Washington, arriving on or about September 16, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing in the labeling of the bottle and carton containing it, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented it to be effective in the treatment of gonorrhea and inflammation of the mucous membranes, whereas said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S415. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 1,000 Cases, More or Less, of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11896. I. S. Nos. 8760-r, 8761-r. S. No. C-1694.)**

On February 2, 1920, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases of canned tomatoes, at Wichita, Kans., alleging that the article had been shipped on or about January 8, 1920, by the Chino Canning Co., Chino, Calif., and transported from the State of California into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "La Norma Brand Standard Tomatoes" and "McCann's Standard Tomatoes."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that approximately  $\frac{1}{3}$  of its contents consisted of added tomato pulp.

Adulteration of the article was alleged in the libel in that tomato pulp had been mixed and packed with pure tomatoes so as to reduce, lower, and injuriously affect the quality and strength of the article, and had been substituted in part for pure tomatoes.

Misbranding of the article was alleged in that the brands, labeling, and design of ripe tomatoes, appearing on the label on the cans, were false and misleading and calculated to deceive and mislead the purchaser into the belief that the product contained in the cans was pure tomato, whereas, in truth and in fact, it was not.

On April 7, 1920, the Winfield Wholesale Grocery Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S416. Adulteration and misbranding of tuna fish. U. S. \* \* \* v. 48 Cases of Canned Tuna Fish. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 12135, 12136. I. S. Nos. 41-r, 42-r. S. No. E-1943.)**

On February 6, 1920, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 cases of canned tuna fish, 23 of which were at Hoboken, N. J., and 25 of which were at Jersey City, N. J., alleging that the article had been shipped on or about October 27, 1919, by the Curtis Corporation, Long Beach, Calif., and transported from the State of California into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Curtis Quality Tuna Supreme Olive Oil \* \* \* Pure Olive Oil \* \* \*."

Adulteration of the article was alleged in the libel for the reason that oil other than olive oil had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the package or label of the article bore statements regarding it and the ingredients and substances contained therein which were false and misleading and deceived and misled the purchaser, to wit, "Curtis Quality \* \* \* Pure Olive Oil \* \* \*." Misbranding was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 14, 1920, the said Curtis Corporation, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceeding and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the claimant should relabel the goods under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**8417. Misbranding of orange marmalade. U. S. \* \* \* v. 8 Cases of Orange Marmalade. Product ordered released on bond. (F. & D. No. 12981. I. S. No. 16723-r. S. No. E-2402.)**

On June 28, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 cases of orange marmalade, consigned on or about February 21, 1919, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the California Packing Co., San Francisco Calif., and transported from the State of California into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Orange Marmalade \* \* \* Del Monte Brand Extra Quality \* \* \* Net Weight 15 Ounces."

Misbranding was alleged in the libel for the reason that the package or label of the article bore the statement, "Net Weight 15 Ounces," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity marked was not correct.

On July 20, 1920, said California Packing Co., having filed its answer admitting the allegations of misbranding contained in the libel, it was ordered by the court that the United States marshal deliver the product to said claimant company upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product be properly labeled under supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**8418. Misbranding of blackberry preserves. U. S. \* \* \* v. 128 Cases of Blackberry Preserves. Product ordered released on bond. (F. & D. No. 12982. I. S. No. 16724-r. S. No. E-2403.)**

On June 28, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 128 cases of blackberry preserves, consigned on or about February 21, 1919, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the California Packing Co., San Francisco, Calif., and transported from the State of California into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.



The article was labeled in part, "Blackberry \* \* \* Del Monte Brand Extra Quality \* \* \* Preserves \* \* \* Net Weight 15 ounces \* \* \*."

Misbranding of the article was alleged in the libel for the reason that the package or label of said article bore the statement "Net Weight 15 Ounces," which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity marked was not correct.

On July 20, 1920, said California Packing Co., having filed its answer admitting the allegations of misbranding contained in the libel, it was ordered by the court that the United States marshal should deliver the product to said claimant company upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be properly labeled under supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**S419. Misbranding of Dr. Burkhart's Vegetable Compound. U. S. \* \* \* v. 9 Dozen Packages of Dr. Burkhart's Vegetable Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13064, 13065. I. S. Nos. 7801-t, 7802-t. S. Nos. E-2453, E-2454.)**

On July 22, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of an article, labeled in part "Dr. Burkhart's Vegetable Compound," at Philadelphia, Pa., consigned by Dr. W. S. Burkhart, Cincinnati, Ohio, alleging that the article had been shipped on or about April 28, 1920, and May 10, 1920, from Cincinnati, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the product was composed essentially of aloes and other plant material containing resins, probably podophyllum and a small amount of capsicum.

Misbranding of the article was alleged in the libels in that certain statements appearing on the label on the package containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for kidney and liver disease, fever and ague, rheumatism, sick and nervous headache, erysipelas, scrofula, female complaints, catarrh, indigestion, neuralgia, nervous affection, dyspepsia, and all syphilitic diseases, whereas, in truth and in fact, it was not effective.

On August 12, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S420. Misbranding of G. S. Remedy. U. S. \* \* \* v. Louis M. Gross. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9905. I. S. No. 12206-p.)**

On June 20, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Louis M. Gross, Little Rock, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about May 29, 1918,

from the State of Arkansas into the State of Alabama, of a quantity of an article, labeled in part "G. S. Remedy," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article was a solution containing alcohol, small quantities of potassium iodid, and vegetable extractives, among which were those of podophyllum, prickly ash, and saponin-bearing drugs.

Misbranding of the article was alleged in the information in that certain statements appearing on the carton enclosing, and on the label on the bottle containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for pellagra, rheumatism, lumbago, sciatica, neuralgia, syphilis, scrofula, eczema, indigestion, dyspepsia, biliousness, constipation, malaria, chills and fever, nervousness, and stomach, liver, kidney, and bladder disease, whereas, in truth and in fact, it was not effective.

On May 3, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8421. Misbranding of salad oil. U. S. \* \* \* v. 23 1-Gallon Cans of Salad Oil. Default decree of condemnation. Product ordered sold. (F. & D. No. 10153. I. S. No. 13581-r. S. No. E-1344.)**

On April 26, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 1-gallon cans of salad oil, at Hudson, Pa., alleging that the article was shipped on or about April 23, 1919, by Roberto Emilio, New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of soya-bean oil.

Misbranding of the article was alleged in the libel in that certain statements and designs, to wit, "One Gallon Net Qualita Superiore Olio Puro Tripolitania Garantito Sotto Qualsiasi Analisi Chimica," and the picture of a woman holding the Italian flag, and also a map of Italy and Tripoli, on the label on the can containing the article, regarding the article, deceived and misled the purchaser in that they purported the article to be a foreign product and of foreign origin, whereas it was not a foreign product and not of foreign origin, and that it was olive oil, whereas the article consisted in whole or in part of an oil extracted from soya beans. Further misbranding was alleged in that soya-bean oil had been substituted in whole or in part for olive oil, which the article purported to be.

On January 19, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8422. Misbranding of soluble saccharin. U. S. \* \* \* v. 2 Cans of Soluble Saccharin Crystal and 1 Package of Soluble Saccharin. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10272, 10273. I. S. Nos. 6143-r, 6144-r. S. No. C-1211.)**

On May 14, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of a certain quantity of soluble saccharin, at Vicksburg, Miss.,

alleging that the article was shipped on or about June 14, 1918, by the Sethness Co., Chicago, Ill., and transported from the State of Illinois into the State of Mississippi and charging misbranding in violation of the Food and Drugs Act.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained insoluble saccharin and sodium bicarbonate.

Misbranding of the article was alleged in the libel in that the statement on the label regarding the article, to wit, "Soluble Saccharine," was false and misleading in that the article was not in fact soluble saccharin, but consisted largely of sodium bicarbonate, insoluble saccharin, and other substances. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the name of, another and different drug, to wit, soluble saccharin. Further misbranding was alleged in that the label did not contain a statement showing the quantity or proportion of sodium bicarbonate, insoluble saccharin, and other substances contained in the article.

On July 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S423. Misbranding of Black Caps. U. S. \* \* \* v. 5-Dozen Packages of Black Caps. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10820. I. S. No. 13448-r. S. No. E-1600.)**

On July 3, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen packages of Black Caps, at Pittsburgh, Pa., alleging that the article was shipped on or about April 7, 1919, by the Safety Remedy Co., Canton, Ohio, and transported from the State of Ohio into the State of Pennsylvania and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of cubebs, copaiba, and saw palmetto.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing in the circular accompanying the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for affections of the mucous membranes, leucorrhea, chronic cystitis, chronic bronchitis, leucorrhea, cystorrhea, abscess of the prostate gland, and affections of the neck of the bladder and prostatic portions of the urethra, whereas, in truth and in fact, it was not effective.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S424. Misbranding of Purola Kidney and Liver Remedy, Purola Diarrhoea Mixture, Purola Femaline, Purola Syrup Sarsaparilla Compound with Iodide of Potash, and Purola Compound Extract of Buchu. U. S. \* \* \* v. Blumauer-Frank Drug Co. Plea of guilty. Fine, \$200. (F. & D. No. 11049. I. S. Nos. 16177-p, 16178-p, 16179-p, 16180-p, 2312-r.)**

On December 1, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Blumauer-



Frank Drug Co., a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, from the State of Oregon into the State of Washington, on or about February 13, 1918, of a quantity of Purola Kidney and Liver Remedy, on or about February 18, 1918, of a quantity of Purola Diarrhoea Mixture, on or about February 20, 1918, of a quantity of Purola Femaline, on or about April 10, 1918, of a quantity of Purola Syrup Sarsaparilla Compound with Iodide of Potash, and on or about June 15, 1918, of a quantity of Purola Compound Extract of Buchu, which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results: Purola Kidney and Liver Remedy, a hydroalcoholic solution consisting essentially of vegetable extractives carrying emodin and resin, potassium acetate, sugars, and a faint trace of salicylic acid; Purola Diarrhoea Mixture, a hydroalcoholic solution of opium, camphor, capsicum extractives, rhubarb, oils of peppermint and anise, and indications of a trace of gambir; Purola Femaline, a hydroalcoholic solution consisting essentially of glycyrrhiza extractives, emodin, resin, a trace of alkaloid, sucrose, glycerin, and aromatics; Purola Syrup Sarsaparilla Compound with Iodide of Potash, a hydroalcoholic solution consisting essentially of vegetable extractives carrying emodin, indications of saponin, glycyrrhizin, alkaloids, volatile oils, sugar, glucose, and potassium iodid; Purola Compound Extract of Buchu, a hydroalcoholic solution of buchu extractives, sugar, glycyrrhiza extractives, potassium acetate, and little, if any, emodin.

It was alleged in substance in the information that the Purola Kidney and Liver Remedy was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for diseases of the kidneys and liver, diabetes, Bright's disease, urinary disorders, inflammation of the bladder, pain in back, gravel, catarrh of the bladder, dropsy, leucorrhea, and all ailments arising from a weakened or diseased condition of the liver and kidneys, irritable bladder, catarrh of the womb, whites, and barrenness resulting from these conditions, jaundice, low spirits resulting from liver affections, dropsy, whether originating from heart, kidney, or liver diseases, or from simple general exhaustion, and Bright's disease and its painful complications, when, in truth and in fact, it was not.

It was alleged in substance that the Purola Diarrhoea Mixture was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for cholera, cholera morbus, dysentery, cholera infantum, and bowel complaints generally, when, in truth and in fact, it was not.

It was alleged in substance that the Purola Femaline was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for female weakness and maladies, such as prolapsus uteri, or falling of the womb, suppressed menstruation, ulceration or inflammation of the uterus, ovarian pains and leucorrhea, and effective for all diseases of the female organism, when, in truth and in fact, it was not.

It was alleged in substance that the Purola Syrup Sarsaparilla Compound with Iodide of Potash was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it to be effective as a blood purifier, and effective to expel humors from the blood, and to renovate and enrich the blood, and effective as a treatment, remedy, and cure for scrofulous affections and cutaneous diseases, boils,

ring worms, unsightly humors of the face, pimples, pustules, tetter or salt rheum, scald head, ulcers, sores, rheumatism, syphilitic and mercurial diseases, and all complaints arising from impurities of the blood, when, in truth and in fact, it was not.

It was alleged in substance that the Purola Compound Extract of Buchu was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for many ailments arising in the urinary organs, bladder, or kidneys, such as nonretention of urine, inflammation of bladder and urethra, catarrh of the bladder, gravel and mucous discharges, diseases of the genital organs, such as Bright's disease, irritation, inflammation or ulceration of bladder or kidneys, chronic catarrh of the bladder and urethra, diseased prostate, gravel and stone in the bladder, mucous and milky discharges, dropsical swellings, and weakness arising from excess or indiscretion and dissipation in either sex, when, in truth and in fact, it was not.

On April 10, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

**8425. Misbranding of Dr. Sanger's Capsules. U. S. \* \* \* v. 5 Dozen Boxes of a Product Labeled "Dr. Sanger's Capsules." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11661. I. S. No. 12915-r. S. No. E-1355.)**

On August 11, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of United States for said district a libel for the seizure and condemnation of 5 dozen boxes of Dr. Sanger's Capsules, at Boston, Mass., consigned April 2, 1919, by Sanger & Co., New York, N. Y., alleging that the article had been shipped and transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of copaiba, cubebs, gum turpentine, and magnesia. Licorice and santal oil also were indicated.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing in the booklet accompanying the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for diseases pertaining to the mucous membranes, cystitis, cystirrhoea or catarrh of the bladder, retention of urine, and leucorrhoea, whereas, in truth and in fact, it was not effective.

On May 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8426. Misbranding of The Texas Wonder. U. S. \* \* \* v. 32 Bottles of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11303. I. S. No. 6796-r. S. No. C-1487.)**

On October 2, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 32 bottles of The Texas Wonder, at Meridian, Miss., alleging that the article had been shipped on or about July 5, 1919, by E. W.

Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, gaulae, and alcohol.

Misbranding of the article was alleged in the libel in that certain statements appearing on the cartons inclosing the article, regarding its therapeutic or curative effects, falsely and fraudulently represented the article to be effective as a remedy for kidney and bladder troubles, diabetes, weak and lame backs, rheumatism and gravel, to regulate bladder trouble in children, for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys, whereas, in truth and in fact, it was not effective.

On March 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8427. Misbranding of Bliss Native Herbs. U. S. \* \* \* v. 2 Dozen Boxes of Bliss Native Herbs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11307. I. S. No. 14602-r. S. No. E-1751.)

On September 27, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen boxes of Bliss Native Herbs, at Newark, N. J., alleging that the article had been shipped on or about June 27, 1919, by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of aloes, licorice, uva ursi, buchu, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libel in that certain statements, borne on the circular accompanying the boxes containing the article, were false and fraudulent in that they misled and deceived the purchaser into the belief that Bliss Native Herbs could be successfully used in the treatment and cure of auto-intoxication, intestinal indigestion, rheumatism, dyspepsia-indigestion, kidneys and bladder, liver, catarrh, grippe, the blood, piles, malaria, and chills and fever, whereas, in truth and in fact, it was not effective for the purposes named.

On December 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8428. Misbranding of Bliss Native Herbs. U. S. \* \* \* v. 3 Dozen Boxes of Bliss Native Herbs. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11332, 11333. I. S. Nos. 14603-r, 14604-r. S. Nos. E-1752, E-1753.)

On October 9, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen boxes of Bliss Native Herbs, at Newark, N. J., alleging that the article had been shipped on or about August 28, 1919, by David Mathewson, Willman-



tie, Conn., and transported from the State of Connecticut into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Bliss Native Herbs are manufactured by the Alonzo O. Bliss Medical Company of Washington, D. C."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of aloes, licorice, buchu, uva ursi, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libel in that certain statements, borne on the circular accompanying the boxes containing the article, were false and fraudulent in that they misled and deceived the purchaser into the belief that Bliss Native Herbs could be successfully used in the treatment and cure of auto-intoxication, intestinal indigestion, rheumatism, dyspepsia-indigestion, kidneys and bladder, liver, catarrh, grippe, the blood, piles, malaria, and chills and fever, whereas, in truth and in fact, it was not effective for the purposes named.

On December 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**Si29. Adulteration and misbranding of Tonka Oats and Tonka Mixed Oats. U. S. \* \* \* v. 64,000 and 48,790 Pounds of Tonka Oats and 64,000 Pounds of Tonka Mixed Oats. Consent decrees of condemnation and forfeiture. Product released on bond. (F. & D. No. 11513. I. S. No. 8377-r. S. No. C-1587.)**

On or about November 26, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 64,000 and 48,790 pounds of a product invoiced as "Tonka Oats" and, upon information furnished by the Dairy and Food Commissioner of the State of Virginia, a libel for the seizure and condemnation of 64,000 pounds of a product invoiced as "Tonka Mixed Oats," remaining unloaded from cars, at Petersburg, Va., alleging that the article had been shipped by the Franke Grain Co., Milwaukee, Wis., on or about October 18, 1919, and November 4, 1919, and by the Bingham-Hewett Grain Co., Louisville, Ky., on or about November 10, 1919, and transported from the States of Wisconsin and Kentucky into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that certain substances, to wit, wheat, barley, weed seeds, wild oats, and worthless material, or wheat, barley, rye, chaff stems, weed seeds, and worthless material, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly and in part for the article.

Misbranding was alleged for the reason that the labels of the article bore certain statements regarding the ingredients and substances contained therein which were false and misleading in certain particulars, that is to say, that the freight bills covering the shipments designated and described the article as "Oats Mixture" or "Bulk Oats," and the invoices designated and described the article as "Tonka Oats" or "Tonka Mixed Oats," which said statements were intended to describe and indicate all of the ingredients and substances contained in the article, but which said statements did not describe and indicate all of the ingredients and substances contained therein.

On December 24, 1919, I. C. Lyman, trading as the Franke Grain Co., claimant, Milwaukee, Wis., having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$6,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S430. Adulteration of shell eggs. U. S. \* \* \* v. James Virgil Boring and Thomas Chester Boring (J. V. Boring & Bro.).** Plea of guilty. Fine, \$25. (F. & D. No. 8940. I. S. No. 9507-p.)

On April 7, 1919, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James Virgil Boring and Thomas Chester Boring, copartners, trading as J. V. Boring & Bro., Houston, Miss., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 24, 1917, from the State of Mississippi into the State of Tennessee, of a quantity of shell eggs which were adulterated.

Examination of 20 cases (180 eggs from each case), taken from the shipment, by the Bureau of Chemistry of this department showed that 578 eggs, or 16.05 per cent, were inedible.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a decomposed and putrid animal substance.

On April 6, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**S431. Adulteration and misbranding of rice bran. U. S. \* \* \* v. Charles J. Freeland and Thomas B. Freeland (American Rice Milling Co.).** Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9650. I. S. Nos. 15803-p, 15805-p.)

On April 29, 1919, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles J. Freeland and Thomas B. Freeland, copartners, trading as the American Rice Milling Co., Crowley, La., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 14 and February 27, 1918, from the State of Louisiana into the State of Texas, of quantities of an article, labeled in part "Rice Bran \* \* \* Manufactured by American Rice Milling Co., Crowley, La.," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	FIRST SHIPMENT. <i>Per cent.</i>	SECOND SHIPMENT. <i>Per cent.</i>
Moisture -----	8.48	7.83
Ether extract -----	12.03	13.04
Crude fiber -----	16.70	17.52
Crude protein -----	10.66	10.88
Ash -----	12.33	12.15
Acid-insoluble ash -----	7.40	7.32

Results indicate presence of added rice hulls.

Adulteration of the article in both shipments was alleged in the information for the reason that rice hulls had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for rice bran, which the article purported to be.

Misbranding of the article in both shipments was alleged for the reason that the statements, to wit, "Rice Bran \* \* \* Guaranteed Analysis \* \* \* Protein not less than 12.00 per cent \* \* \* Crude Fiber not more than 15.00 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article consisted wholly of rice bran, and that it contained not less than 12 per cent of protein and not more than 15 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article consisted wholly of rice bran, and contained not less than 12 per cent of protein and not more than 15 per cent of crude fiber, whereas, in truth and in fact, said article did not consist wholly of rice bran, but consisted in part of rice hulls, and did contain less than 12 per cent of protein and more than 15 per cent of crude fiber, to wit, 10.66 per cent of protein and 16.70 per cent of crude fiber, and 10.88 per cent of protein and 17.52 per cent of crude fiber, respectively.

On December 16, 1919, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8432. Adulteration and misbranding of vinegar. U. S. \* \* \* v. R. M. Hughes & Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9853. I. S. No. 8780-p.)**

On May 12, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against R. M. Hughes & Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 24, 1917, from the State of Kentucky into the State of Louisiana of a quantity of an article, labeled in part "White Distilled Vinegar 100 Grain," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was low in acid strength.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a vinegar of less than 100 grain strength, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for vinegar 100 grain, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "White Distilled Vinegar 100 Grain," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article was vinegar 100 grain, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was vinegar 100 grain, whereas, in truth and in fact, said article was not vinegar 100 grain, but was a vinegar of less than 100 grain.

On October 14, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*



**8433. Adulteration and misbranding of evaporated milk. U. S. \* \* \* v. Enumclaw Milk & Cream Co., a Corporation. Plea of nolo contendere. Fine, \$90.** (F. & D. No. 10118. I. S. Nos. 1049-p, 1055-p, 1680-p.)

At the November term of the District Court of the United States for the Western District of Washington, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the Enumclaw Milk & Cream Co., a corporation, Enumclaw, Wash., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 20, 1917, from the State of Washington into the State of New York, and on November 6 and November 10, 1917, from the State of Washington to the republic of France, of quantities of an article, labeled in part "Blue Ribbon Brand Evaporated Milk, Weight of Contents 1-lb.," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed in each instance that it consisted of an insufficiently concentrated milk product and that the quantity of the contents of the cans averaged less than 1 pound.

Adulteration of the article in each shipment was alleged in the information for the reason that a partially evaporated milk had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for evaporated milk.

Misbranding of the article in each shipment was alleged for the reason that the statements "Evaporated Milk" and "Weight of Contents 1-lb.," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article was evaporated milk, and that each of said cans contained 1 pound of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was evaporated milk, and that each of said cans contained 1 pound of the article, whereas, in truth and in fact, said article was not evaporated milk, but was a partially evaporated milk, and each of said cans did not contain 1 pound of the article but contained a less amount, and for the further reason that it was a partially evaporated milk and was prepared in imitation of, and offered for sale and sold under the distinctive name of, another article, to wit, evaporated milk. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 30, 1919, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$90.

E. D. BALL, *Acting Secretary of Agriculture.*

**8434. Adulteration of shell eggs. U. S. \* \* \* v. Victor J. Yanson. Plea of guilty. Fine, \$25.** (F. & D. No. 10593. I. S. No. 5651-r.)

On September 12, 1919, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Victor J. Yanson, Newburg, N. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 3, 1918, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of 5 cases (180 eggs from each case) by the Bureau of Chemistry of this department showed a total of 138, or 15 per cent, inedible eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 14, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of 25.

E. D. BALL, *Acting Secretary of Agriculture.*

**S435. Misbranding of cottonseed cake. U. S. \* \* \* v. Manuel G. Lewis, Frank J. Jones, and Joseph G. Lewis (Lewis-Simas-Jones Co.).**  
**Pleas of guilty. Fine, \$150.** (F. & No. 10605. I. S. No. 19132-p.)

On July 12, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Manuel G. Lewis, Frank J. Jones, and Joseph G. Lewis, copartners, trading as the Lewis-Simas-Jones Co., San Francisco, Calif., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about December 20, 1917, from the State of California into the State of Nevada, of a quantity of an article, invoiced as cottonseed cake, which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 upon each defendant, or a total of \$150.

E. D. BALL, *Acting Secretary of Agriculture.*

**S436. Adulteration of raisins. U. S. \* \* \* v. 221 Cases and 264 Boxes of Ungraded Raisins. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 11070, 11074. I. S. Nos. 2043-r, 2044-r. S. Nos. W-464, W-465.)

On or about August 15, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 221 cases and 264 boxes of ungraded raisins, remaining in the original, unbroken packages at Seattle, Wash., alleging that the article had been shipped by E. Y. Foley, Fresno, Calif., on March 29 and July 2, 1919, respectively, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that sand had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that it consisted in whole or in part of a decomposed vegetable substance.

On November 17, 1919, the two cases having been consolidated, and Angelo Merlino, trading as the Metropolitan Grocery Co., Seattle, Wash., claimant, having admitted the allegations of the libels and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S437. Adulteration and misbranding of vinegar. U. S. \* \* \* v. James M. Kistler (Kistler Vinegar Works). Plea of nolo contendere. Fine, \$10. (F. & D. No. 11945. I. S. No. 7921-r.)**

On March 11, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James M. Kistler, trading as the Kistler Vinegar Works, Stroudsburg, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 28, 1919, from the State of Pennsylvania into the State of Kentucky, of a quantity of an article, labeled in part "Northern Spy Brand Pure Fermented Apple Cider Vinegar Reduced to (40) Grains Acid Strength, J. M. Kistler, Propr. Stroudsburg, Pa.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was low in acid strength.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure fermented apple cider vinegar reduced to 40 grains acid strength, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Pure Fermented Apple Cider Vinegar Reduced to (40) Grains Acid Strength," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article was pure fermented apple cider vinegar, reduced to 40 grains acid strength, and for the further reason that said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure fermented apple cider vinegar reduced to 40 grains acid strength, whereas, in truth and in fact, said article was not pure fermented apple cider vinegar reduced to 40 grains acid strength, but was a product reduced to less than 40 grains acid strength. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 26, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$10.

E. D. BAIL, *Acting Secretary of Agriculture.*

**S438. Adulteration and misbranding of canned salmon. U. S. \* \* \* v. 1,386 Cases of Everybody's Brand Alaska Pink Salmon and 446 Cases of Table Pride Brand Alaska Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 12530, 12531. I. S. Nos. 3412-r, 3413-r. S. No. W-590.)**

On March 29, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,386 cases of an article, labeled in part "Everybody's Brand Alaska Pink Salmon" and 446 cases of an article, labeled in part "Table Pride Brand Alaska Salmon," remaining in the original unbroken packages, at Seattle, Wash., alleging that the article had been shipped by the Columbia Salmon Co., Seattle, Wash., from Tenakee Inlet, Alaska, November 24, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act.



Adulteration of the article, with respect to both brands, was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

Misbranding was alleged with respect to the article labeled in part, "Everybody's Brand Alaska Pink Salmon," for the reason that the statement on the label, "Fresh Salmon," was false and misleading and deceived and misled the purchaser since the product was partly decomposed.

On July 15, 1920, the Columbia Salmon Co., a corporation, claimant, Seattle, Wash., having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that said claimant separate the good portion from the bad under the supervision of a representative of this department, and that the bad portion of said product be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

**8439. Adulteration and misbranding of honey. U. S. \* \* \* v. Swift & Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 12809. I. S. No. 2797-r.)**

On August 18, 1920, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Swift & Co., a corporation, doing business at Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 30, 1919, from the State of Oregon into the State of Washington, of a quantity of an article, labeled in part "Queen Bee Brand California Honey \* \* \* California Honey Company, Portland, Oregon," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained about 35 per cent of commercial glucose.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, commercial glucose, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for honey, which the article purported to be.

Misbranding was alleged for the reason that the statement "Honey," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of honey, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article consisted wholly of honey, whereas, in truth and in fact, it did not so consist, but consisted in part of commercial glucose.

On August 26, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**8440. Adulteration of tomato catsup. U. S. \* \* \* v. SS1 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5581. S. No. E-913.)**

On November 9, 1917, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of SS1 cases of tomato catsup, at Scranton, Pa., alleging that the article was shipped on or about September 21, 1917, by the Monmouth Seed

Co., Matawan, N. J., and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a filthy, decomposed, and putrid tomato product.

On January 19, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8441. Adulteration and misbranding of vinegar. U. S. \* \* \* v. R. M. Hughes & Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9602. I. S. No. 11909-p, 12122-p.)**

On April 28, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against R. M. Hughes & Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 10, 1918, and October 23, 1917, from the State of Kentucky into the State of Missouri, of a quantity of an article, labeled in part "Distilled \* \* \* Vinegar 80 grain," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was of less than 80 grain acid strength.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a vinegar of less than 80 grain strength, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for vinegar 80 grain, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Vinegar 80 grain," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article was vinegar 80 grain, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was vinegar 80 grain, whereas, in truth and in fact, said article was not vinegar 80 grain, but was vinegar of less than 80 grain.

On October 14, 1919, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8442. Misbranding of Prescription 1000 Injection. U. S. \* \* \* v. 2 Dozen Bottles, More or Less, of Prescription 1000 Injection. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 10591. I. S. No. 15004-r. S. No. E-1494.)**

On June 12, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Prescription 1000 Injection, at Wilkes-Barre, Pa., alleging that the article had been shipped on or about April 2, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute solution of potassium permanganate.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing in the circular accompanying the article, regarding its curative or therapeutic effects, falsely and fraudulently represented the article to be effective as a remedy for gonorrhea and gleet in obstinate cases where immediate results are desired, whereas, in truth and in fact, it was not effective.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S443. Misbranding of Prescription 1000 Internal and External. U. S. \* \* \* v. 26 Bottles of Drugs Labeled in Part, "Prescription 1000 Internal" and 17 Bottles of Drugs Labeled in Part, "Prescription 1000 External." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10507. I. S. Nos. 2638-r, 2639-r. S. No. W-400.)**

On June 18, 1919, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of certain articles, labeled in part "Prescription 1000," at Spokane, Wash., consigned by the Reese Chemical Co., Cleveland, Ohio, alleging that the articles had been shipped on or about April 26, 1919, and transported from the State of Ohio into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Prescription 1000 Internal consisted essentially of an emulsion of copaiba, with methyl salicylate, and that the Prescription 1000 External consisted of a dilute solution of potassium permanganate.

Misbranding of the article was alleged in substance in the libel in that certain statements appeared in the circular accompanying, on the cartons enclosing, and on the bottles containing the articles, regarding their curative or therapeutic effects as a remedy for gleet, gonorrhea, bladder troubles, frequent urination and inflammation, which statements were false and fraudulent in that the drugs did not contain any ingredient or combination of ingredients capable of curing the diseases named.

On September 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S444. Misbranding of Big G. U. S. \* \* \* v. 101 Bottles of a Drug Labeled in Part, "Big G, a Non-poisonous Tonic Antiseptic Prepared by Evans Chemical Company, Cincinnati, Ohio." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10512. S. No. W-401.)**

On June 18, 1919, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Big G," at Spokane, Wash., alleging that the article had been shipped on or about September 23, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of borax and berberine.



Misbranding of the article was alleged in substance in the libel, in that certain statements in the booklets accompanying, on the cartons enclosing, and on the bottles containing the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be a non-poisonous tonic, and to be effective as a remedy for unnatural discharges of the urinary organs, catarrh, hay fever, and inflamed, ulcerated, itching conditions of the skin and mucous membrane or linings of the mouth, nose, throat, eye, and ear, gastritis, hemorrhoids, gonorrhea, gleet, balanitis, bubo, inflammation and swelling of a lymphatic gland of the groin, leucorrhea, whites, and catarrh of the vagina, whereas it was not effective.

On September 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8445. Misbranding of olive oil. U. S. \* \* \* v. 72 Cans of Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold.** (F. & D. No. 10555. I. S. No. 15006-r. S. No. E-1491.)

On June 12, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 72 cans of olive oil, at Wilkes-Barre, Pa., alleging that the article had been shipped on or about April 22, 1919, by the Venice Importing Co., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Representative samples of the article, consisting of 22 cans, examined by the Bureau of Chemistry of this department showed a shortage in quantity of the contents of 5.41 per cent.

Misbranding of the article was alleged in the libel in that the statement on the label of the can, regarding its contents, to wit, "One Quart," was false and misleading in that it represented that the contents of the cans were 1 quart, whereas they were less than 1 quart. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents of the said package was not correctly stated on the package.

On January 19, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8446. Misbranding of Short Stop products. U. S. \* \* \* v. 2 Dozen, More or Less, Bottles of a Drug Labeled "Short Stop Injection, First Stage," 2 Dozen, More or Less, Bottles of a Drug Labeled "Short Stop Injection, Second Stage," and 3 Dozen Bottles, More or Less, of a Drug Labeled "Short Stop Capsules." Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10839. I. S. Nos. 7791-r, 7792-r, 7793-r. S. No. C-1367.)

On July 15, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of certain products, labeled "Short Stop," at Cincinnati, Ohio, consigned on or about June 14, 1917, and December 7, 1918, by the Massmann Chemical Co., Covington, Ky., alleging that the article had been

transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the Short Stop Injection, First Stage, consisted of a dilute aqueous solution of zinc sulphocarbolate, berberine sulphate, a trace of phenol, and bismuth hydrate in suspension, that the Short Stop Injection, Second Stage, consisted essentially of a dilute aqueous solution of zinc sulphate, berberine sulphate, and phenol, and that the contents of the capsules consisted essentially of sodium carbonate, methylene blue, and salol.

Misbranding of the article was alleged in the libel in that certain statements appearing in the circular accompanying, on the carton inclosing, and on the label on the package containing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhea, gleet, leucorrhea, kidney and bladder affections, and chronic seminal and mucous discharges, and to prevent contagion, whereas, in truth and in fact, it was not effective.

On March 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8447. Adulteration of olive oil. U. S. \* \* \* v. 11 1-Gallon Cans and 11 1-Gallon Cans of a Product Purporting to be Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold.**  
(F. & D. No. 11148. I. S. No. 15004-r. S. No. E-1681.)

On August 30, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a product purporting to be olive oil, at Carbondale, Pa., alleging that the article had been shipped on or about July 9, 1919, by Sbricoli & Fania, New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of corn and peanut oils with little or no olive oil, and that the cans examined were short volume.

Adulteration of the article was alleged in the libel in that a mixture of oils containing no appreciable amount of olive oil had been mixed and packed with, and substituted wholly or in part for, the said product purporting to be olive oil.

Misbranding of the article was alleged in that the statements, to wit, "Qualità Superiore Olio Tripolitania Puro Garantito Sotto Qualsiasi Analisi Chimica," together with a picture of the map of Italy and a woman holding the Italian flag, and "1 Gallon Net" and " $\frac{1}{2}$  Gallon Net," respectively, were false and misleading and deceived and misled the purchaser into the belief that the article was a foreign product, and that it was olive oil, whereas, in truth and in fact, it was not a foreign product and was not olive oil. Further misbranding was alleged in that the quantity of the contents of each can was not plainly and conspicuously marked on the outside thereof.

On January 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8448. Misbranding of Milks Emulsion. U. S. \* \* \* v. 6 $\frac{1}{2}$  Dozen, More or Less, Large Bottles and 12 Dozen, More or Less, Small Bottles, of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11392. I. S. Nos. 15119-r, 15120-r. S. No. E-1799.)

On October 8, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 $\frac{1}{2}$  dozen large bottles and 12 dozen small bottles of Milks Emulsion, at Harrisburg, Pa., alleging that the article had been shipped on or about July 20, 1919, and August 8, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted mainly of petrolatum with small amounts of glycerin, sirup, and methyl salicylate.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for dyspepsia, indigestion, catarrh of stomach and bowels, bronchial asthma, catarrhal croup, bronchitis, and especially beneficial in incipient consumption, whereas, in truth and in fact, it was not. Further misbranding was alleged in that the statement in the booklet accompanying the article, regarding the article, to wit, "Contains a great amount of fat," was false and misleading in that the article contained no fat. Further misbranding was alleged in that the statements on the cartons inclosing the article, regarding it, to wit, "Net weight twenty-two ounces" and "Net weight twelve ounces," respectively, were false and misleading in that the contents of the article in the respective packages were less than 22 ounces and less than 12 ounces.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8449. Misbranding of Antibrule. U. S. \* \* \* v. 15 Bottles of Antibrule. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11825. I. S. No. 7344-r. S. No. C-1641.)

On or about December 22, 1919, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 bottles of Antibrule, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Crescent Chemical Co., Ft. Worth, Texas, on or about June 30, 1919, and transported from the State of Texas into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Antibrule \* \* \* Analgesic, Anodyne, Antiseptic, Antipyretic, \* \* \* A Remedy for Croup, Tonsillitis, Carbuncles, Gonorrhœa, Leucorrhœa, Varicose Veins, Ulcers \* \* \* Recommended for Eczema, Erysipelas, Nasal Catarrh and Itching Piles."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of picric acid containing small amounts of pierates.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the bottles contained the above-quoted statements, regarding



the curative and therapeutic effects of said article, which were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the effects claimed in said statements.

On July 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8450. Adulteration of tomato paste. U. S. \* \* \* v. 16 Cases, Each Containing 200 Cans of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8913. I. S. No. 1225-p. S. No. E-1008.)**

On April 1, 1918, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Tomato Paste," at Hazleton, Pa., alleging that the article had been shipped on or about November 15, 1917, by Potts & Kaufmann (Inc.), Perth Amboy, N. J., and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in whole or in part of filthy, decomposed tomato paste.

On January 19, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

# INDEX TO NOTICES OF JUDGMENT 8401 TO 8450.

	N. J. No.		N. J. No.
Anchovies, salted. <i>See</i> Fish.		Goldenseal, borated. <i>See</i> Big G.	
Antibrule:		Herbs, Bliss native:	
Crescent Chemical Co-----	8449	Bliss, Alonzo O., Medical	
Apples, evaporated:		Co-----	8427, 8428
Hamilton, A. C., & Co_	8403, 8409	Mathewson, David-----	8428
Big G:		Honey:	
Evans Chemical Co-----	8444	Swift & Co-----	8439
Black Caps:		Injection, Prescription 1000:	
Safety Remedy Co-----	8423	Reese Chemical Co-----	8442
Blackberry preserves. <i>See</i> Preserves.		Kidney and liver remedy:	
Bliss native herbs:		Blumauer-Frank Drug Co--	8424
Bliss, Alonzo O., Medical		Marmalade, orange:	
Co-----	8427, 8428	California Packing Co-----	8417
Mathewson, David-----	8428	Milk, evaporated:	
Borated goldenseal. <i>See</i> Big G.		Ennielaw Milk & Cream Co_	8433
Bran. <i>See</i> Feed.		Milks Emulsion:	
Buchu, extract of:		Milks Emulsion Co-----	8448
Blumauer-Frank Drug Co--	8424	Oats. <i>See</i> Feed.	
Burkhart's, Dr., vegetable compound:		Oil, olive:	
Burkhart, Dr. W. S-----	8419	Sbrioni & Fania-----	8447
Capsules, Sanger's, Dr.:		Venice Importing Co-----	8445
Sanger & Co-----	8425	salad:	
Short Stop:		Emilio, Roberto-----	8421
Massmann Chemical Co-----	8446	Olive oil. <i>See</i> Oil.	
Catsup, tomato. <i>See</i> Tomato catsup.		Orange marmalade. <i>See</i> Marmalade.	
Char-Med-Sal:		Oranges:	
Blackman Stock Remedy		Produce Fruit Co-----	8404
Co-----	8402	Prescription 1000:	
Cottonseed cake. <i>See</i> Feed.		Reese Chemical Co-----	8442, 8443
Diarrhea mixture:		Preserves, blackberry:	
Blumauer-Frank Drug Co--	8424	California Packing Co-----	8418
Eggs:		Purola preparations:	
Boring, J. V., & Bro-----	8430	Blumauer-Frank Drug Co_	8424
Yanson, Victor J-----	8434	Raisins:	
Evaporated apples. <i>See</i> Apples.		Bonner Packing Co-----	8403
milk. <i>See</i> Milk.		Chaddock & Co-----	8412
Feed, bran, rice:		Foley, E. Y-----	8408, 8436
American Rice Milling Co--	8431	Haas Bros-----	8407
cottonseed cake:		Rosenberg Bros. & Co-----	8413
Lewis-Simas-Jones Co-----	8433	Rice bran. <i>See</i> Feed.	
oats:		Saccharin, soluble:	
Bingham-Hewett Grain Co_	8429	Sethness Co-----	8422
Franke Grain Co-----	8429	Salad oil. <i>See</i> Oil.	
Female:		Salmon. <i>See</i> Fish.	
Blumauer-Frank Drug Co--	8424	Salubrin:	
Fish, anchovies, salted:		Salubrin Laboratory-----	8410
Chardinale & Lafata-----	8405	Sanger's, Dr., capsules:	
salmon:		Sanger & Co-----	8425
Columbia Salmon Co-----	8438	Santaloids, Stearns:	
tuna:		Stearns, Frederick, & Co--	8414
Curtis Corporation-----	8416	Sarsaparilla compound with iodid of	
G. S. remedy:		potash:	
Gross, Louis M-----	8420	Blumauer-Frank Drug Co_	8424

Short Stop:		N. J. No.	Tomato catsup:		N. J. No.
Massmann Chemical Co----		8446	Monmouth Seed Co-----		8440
Stearns Santaloids:			Woods Cross Canning Co--		8401
Stearns, Frederick, & Co--		8414	- paste:		
Stops It In One Day:			Potts & Kaufmann-----		8450
O. K. Remedy Co-----		8411	Tomatoes, canned:		
Tablets, Bliss native herbs:			Chino Canning Co-----		8415
Bliss, Alonzo O., Medical			Tuna fish. <i>See</i> Fish.		
Co-----		8427, 8428	Vegetable compound:		
Mathewson, David-----		8428	Burkart, Dr. W. S-----		8419
Texas Wonder:			Vinegar:		
Hall, E. W-----		8426	Hughes, R. M., & Co--		8432, 8441
			Kistler Vinegar Works---		8437



# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8451-8500.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 28, 1921.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**S. 451. Misbranding of table oil. U. S. \* \* \* v. 22½ Gallons of Table Oil and U. S. \* \* \* v. 58½ Gallons of Table Oil. Default decree of condemnation and forfeiture. Product ordered sold.** (F. & D. Nos. 9457, 9458. I. S. Nos. 13726-r, 13727-r. S. Nos. E-1158, E-1159.)

On November 19, 1918, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of a certain article, labeled in part "Table Oil La Migliore Brand," at Scranton, Pa., and Wilkes-Barre, Pa., alleging that the article had been shipped on or about October 11, 1918, and on or about June 21, 1918, by Crisafulli Bros., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article in each shipment was alleged in the libels in that the article was food in package form, and the contents were not plainly and conspicuously marked on the outside of the package containing the food. Further misbranding was alleged in that the labels on the cans containing the article, respectively, "Quarter Gallon" and "One Half Gallon," represented that the contents of the cans were, respectively,  $\frac{1}{4}$  gallon and  $\frac{1}{2}$  gallon, whereas, in truth and in fact, the contents of the cans, respectively, were less than  $\frac{1}{4}$  gallon and less than  $\frac{1}{2}$  gallon. Further misbranding was alleged in that the statements on the labels on the cans, "First Quality Table Oil, La Migliore Brand Insuperable Cotton" (or "Corn") "Salad Oil Compound with Extra Fine Olive Oil," together with the representation of an olive tree, were false and misleading and designed to deceive and mislead the purchaser by representing the said oil to be olive oil, whereas, in truth and in fact, the said oil was not olive oil, but consisted almost entirely of cotton oil in one shipment and corn oil in the other. Further misbranding was alleged in that cotton oil in one ship-

ment and corn oil in the other had been substituted almost wholly for olive oil, while the articles purported to be.

On January 19, 1920, no claimant having appeared, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S452. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 31 Gallons of a Product Purporting to be Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 10232. I. S. Nos. 13585-r, 13586-r. S. No. E-1376.)**

On May 12, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article purporting to be olive oil, at Scranton, Pa., alleging that the article had been shipped on or about April 24, 1919, by N. P. Economou & Theodos, New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cottonseed oil flavored with a small quantity of olive oil and that the quantity of the contents of the cans was less than 1 gallon and  $\frac{1}{2}$  gallon, respectively, as labeled.

Adulteration of the article was alleged in the libel in that the article consisted essentially of cottonseed oil which had been substituted wholly or in part for the article which the labels on the package purported the contents thereof to be, to wit, olive oil.

Misbranding of the article was alleged in that the statements on the labels on the cans, regarding the contents of the cans, "Finest Quality Table Oil, Insuperabile Termini Imerse," together with the pictorial designs and devices thereof, were false and misleading and deceived and misled the purchaser in that it purported to be a foreign product, when it was not a foreign product. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Further misbranding was alleged in substance in that the products were articles of food in package form, and the quantity of the contents in each case was not declared, that is to say, was not correctly stated.

On January 1, 1920, no claimant having appeared, judgment of condemnation and forfeiture was entered, and the product was ordered sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S453. Adulteration and misbranding of acetanilid and salol, acetphenetidid and salol, codeine sulphate, and morphine sulphate tablets. U. S. \* \* \* v. Bowman, Mell & Co., a Corporation. Plea of nolo contendere. Fine, \$50. (F. & D. No. 10249. I. S. Nos. 3036-p, 3037-p, 3040-p, 3041-p.)**

On October 21, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Bowman, Mell & Co., a corporation, Harrisburg, Pa., alleging shipment by said company, on or about May 15, 1918, in violation of the Food and Drugs Act, from the State of Pennsylvania into the State of Delaware, of quantities of drugs, labeled in part "Tablets Acetanilide and Salol Acetanilide  $2\frac{1}{2}$  grs. Salol  $2\frac{1}{2}$  grs.," "Compressed Tablets Acetphenetidid and Salol Acetphenetidid

2½ grs. Salol 2½ grs." "Hypodermic Tablets Codeine Sulphate ¼ gr.," and "Hypodermic Tablets Morphine Sulphate ⅓ gr.," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following average shortages: Acetanilid and salol tablets, acetanilid 0.29 grain, or 11.6 per cent, salol 0.31 grain, or 12.4 per cent; acetphenetidin and salol tablets, acetphenetidin 0.215 grain, or 8.6 per cent, salol 0.31 grain, or 12.4 per cent; codeine sulphate tablets, codeine sulphate 0.0329 grain, or 13.16 per cent; morphine sulphate tablets, morphine sulphate 0.015 grain, or 12.0 per cent.

Adulteration of the articles was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold in that the "Acetanilide and Salol Tablets" was a product which contained less than 2½ grains of acetanilid and less than 2½ grains of salol per tablet, to wit, 2.21 grains of acetanilid and 2.19 grains of salol per tablet and was sold as a product which contained 2½ grains of acetanilid and 2½ grains of salol per tablet; the "Acetphenetidin and Salol Tablets" was a product which contained less than 2½ grains of acetphenetidin and less than 2½ grains of salol per tablet, to wit, 2.285 grains of acetphenetidin and 2.19 grains of salol per tablet, and was sold as a product which contained 2½ grains of acetphenetidin and 2½ grains of salol per tablet; the "Codeine Sulphate Tablets" was a product which contained less than ¼ grain of codeine sulphate per tablet, and was sold as a product which contained not less than ¼ grain of codeine sulphate per tablet; and the "Morphine Sulphate Tablets" was a product which contained less than ⅓ grain of morphine sulphate per tablet, to wit 0.110 grain of morphine sulphate, and was sold as a product which contained ⅓ grain of morphine.

Misbranding was alleged for the reason that the statements, to wit, "Compressed Tablets \* \* \* Acetanilide 2½ grs. Salol 2½ grs.," "Compressed Tablets \* \* \* Acetphenetidin 2½ grs. Salol 2½ grs.," "Hypodermic Tablets Codeine Sulphate ¼ gr.," and "Tablets Morphine Sulphate ⅓ gr.," borne on the labels attached to the bottles containing the articles, regarding the articles and the ingredients and substances contained therein, were false and misleading in that they represented that each of said tablets contained not less than 2½ grains of acetanilid and not less than 2½ grains of salol, not less than 2½ grains of acetphenetidin and not less than 2½ grains of salol, not less than ¼ grain of codeine sulphate, and not less than ⅓ grain of morphine sulphate per tablet, respectively, whereas, in truth and in fact, each of said tablets did contain less than 2½ grains of acetanilid and less than 2½ grains of salol, less than 2½ grains of acetphenetidin and less than 2½ grains of salol, less than ¼ grain of codeine sulphate, and less than ⅓ grain of morphine sulphate per tablet, respectively, to wit, 2.21 grains of acetanilid and 2.19 grains of salol, 2.285 grains of acetphenetidin and 2.19 grains of salol, 0.217 grain of codeine sulphate, and 0.110 grain of morphine sulphate per tablet, respectively. Misbranding was alleged for the further reason that the articles contained acetanilid, acetphenetidin (a derivative of acetanilid), codeine (a derivative of opium), and morphine sulphate (a derivative of morphine alkaloid), and the labels failed to bear statements of the quantity or proportion of acetanilid, acetphenetidin (a derivative of acetanilid), codeine (a derivative of opium), and morphine sulphate (a derivative of morphine alkaloid) contained therein.

On October 21, 1919, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*



**8454. Misbranding of S. O. S. U. S. \* \* \* v. 3 Dozen Packages of S. O. S. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10503. I. S. No. 15005-r. S. No. E-1493.)**

On June 12, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of S. O. S., at Wilkes-Barre, Pa., alleging that the article had been shipped on or about April 26, 1919, by the S. Pfeiffer Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, an injection and gelatin pearls for internal use. The injection was composed essentially of an aqueous solution containing thymol, sulphates of zinc and magnesium, and glycerin. The pearls contained a mixture essentially of santal oil, copaiba balsam, oil of cinnamon, and a fixed oil.

Misbranding of the article was alleged in the libel in that certain statements on the label of the package containing the article, regarding the therapeutic or curative effects of the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhea and gleet, whereas it was not effective.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

*E. D. BALL, Acting Secretary of Agriculture.*

**8455. Misbranding of Mendenhall's No. 40. U. S. \* \* \* v. 37 Bottles. More or Less, of Mendenhall's No. 40. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10544. I. S. No. 15003-r. S. No. E-1469.)**

On June 11, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Mendenhall's No. 40," at York, Pa., alleging that the article had been shipped on or about November 7, 1917, by the J. C. Mendenhall Medicine Co., Evansville, Ind., and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, ammonia, salicylates, licorice, an unidentified alkaloid, glycerin, sugar, alcohol, water, and possibly acetates and resinous plant material.

Misbranding of the article was alleged in substance in the libel in that certain statements in the circular accompanying, on the cartons enclosing, and on the label on the bottle containing the article, regarding its therapeutic and curative effects, falsely and fraudulently represented the article to be effective as an anti-syphilitic, anti-rheumatic, cholagogue, uric acid solvent, and emmenagogue, and to be employed in rheumatism, catarrh, constipation, malaria, biliousness, jaundice, and diseases of the liver, kidneys, and spleen, mercurial, lead, and zinc poisoning, syphilis, tumors, nodes, goitre, lupus, buboes, scaly skin diseases, mucous patches, indolent ulcers, cankerous and scrofulous sores, pimples, chancrels, boils, carbuncles, eczema, psoriasis, salt rheum, tetter, sciatic lumbago, rheumatic neuralgia, chronic pleurisy, pericarditis, hydrocephalus, aneurisms, leucorrhœa, gonorrhea, and gleet, whereas it was not effective.

On December 1, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and the court ordered the product destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8456. Adulteration of raisins. U. S. \* \* \* v. 450 Cases of California Rain-damaged Muscat Raisins. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11102. I. S. No. 2046-r. S. No. W-469.)**

On or about August 20, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 450 cases of an article, labeled in part "California Rain-damaged Muscat Raisins," remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the California Associated Raisin Co., Del Rey, Calif., on July 19, 1919, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sand had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 17, 1920, the Italian Importing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be released to said claimant upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8457. Adulteration and misbranding of alfalfa meal. U. S. \* \* \* v. 200 Sacks of Brown Alfalfa Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11549. S. No. C-1616.)**

On December 6, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 sacks of an article, purporting to be brown alfalfa meal, at St. Louis, Mo., alleging that the article had been shipped on or about October 24, 1919, by the Crown Feed Co., Independence, Kans., and transported from the State of Kansas into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the presence of a large admixture of foreign grasses.

Adulteration of the article was alleged in the libel in that it was held in violation of section 7 of the Food and Drugs Act.

Misbranding of the article was alleged in that it was held in violation of section 8 of the Food and Drugs Act.

On June 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8458. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$100. (F. & D. No. 11984. I. S. No. 12728-r.)**

On July 30, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 16, 1919, from the State of New York into the State of Rhode Island, of a quantity of olive oil which was misbranded. The article was labeled in part, "Extra Fine \* \* \* Olive Oil \* \* \* Net Contents 1 gallon" or "1/2 gallon."

Examination of samples of the article by the Bureau of Chemistry of this department showed an average shortage of 2 per cent in the gallon cans and 1.8 per cent in the 1/2-gallon cans.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Gallon," or "Net Contents 1/2 Gallon," as the case might be, borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of said cans contained 1 gallon or 1/2 gallon net of the article, and for the further reason that said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 gallon net or 1/2 gallon net of the article, whereas, in truth and in fact, each of said cans did not contain 1 gallon net or 1/2 gallon net of the article, but contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 18, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**S459. Adulteration and misbranding of alfalfa meal. U. S. \* \* \* v. 420 Sacks of Alfalfa Meal. Default decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12915, I. S. No. 11647-r. S. No. C-1979.)**

On June 16, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "No. 2 Alfalfa Meal," at Memphis, Tenn., alleging that the article had been shipped on or about June 5, 1920, by North Bros., Kansas City, Mo., and transported from the State of Missouri into the State of Tennessee, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of ground alfalfa and prairie hay, or similar material.

Adulteration of the article was alleged in the libel in that materials other than alfalfa meal had been mixed and packed with, and substituted wholly or in part for, alfalfa meal. It was further adulterated in that it was mixed and packed in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged in that it was an imitation of, and was offered for sale under the distinctive name of, another article. Further misbranding was alleged in that it was an article of food in package form, and the quantity of the contents thereof was not marked upon the containers.

On September 9, 1920, North Bros., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$892, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*



**8460. Misbranding of Injection Zip. U. S. \* \* \* v. 8 Dozen Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10308, I. S. No. 6594-r, S. No. C-1221.)

On May 17, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 dozen bottles of Injection Zip, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., on or about December 27, 1917, and transported from the State of Indiana into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution containing salts of zinc and lead, opium, and berberine, in alcohol and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the cartons and labels of the bottles containing the article and in the accompanying circular, to wit, (label) "Injection Zip. \* \* \* This Injection \* \* \* cannot produce stricture \* \* \*," (carton) "Injection Zip Warranted," (circular) " \* \* \* For Male or Female. To be used for Gonorrhœa, Gleet and Leucorrhœa. \* \* \* An excellent preparation for the treatment of Gonorrhœa, Gleet and Leucorrhœa for male or female. \* \* \* the best injection on the market for the purpose. Ladies troubled with Leucorrhœa (Whites) will obtain a speedy relief \* \* \*," were false and fraudulent in that said article did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On July 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8461. Misbranding of Salubrin. U. S. \* \* \* v. 51 Bottles of Salubrin A and 12 Bottles of Salubrin B and 9 Dozen Bottles of Salubrin A and 2 Dozen Bottles of Salubrin B. Consent decrees of condemnation and forfeiture. Product released on bond.** (F. & D. Nos. 10313, 10314, I. S. Nos. 6932-r, 6933-r, 6934-r, 6935-r, S. Nos. C-1222, C-1223.)

On May 23, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 51 bottles of Salubrin A and 12 bottles of Salubrin B, at Minneapolis, Minn., consigned on or about February 27, 1919, and 9 dozen bottles of Salubrin A and 2 dozen bottles of Salubrin B, at St. Paul, Minn., consigned on or about March 22, 1919, and November 16, 1918, respectively, remaining in the original unbroken packages, alleging that the articles had been shipped by the Salubrin Laboratory, Grand Crossing, Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Bottle and carton) "Directions for use externally \* \* \* For Ringworm, Eczema, Pimples and Other Irritated Conditions of the Skin. For Dandruff and Falling Hair. To break a Fever, or to cure a Cold. If used in time, it will stop Pneumonia. Internally \* \* \* Salubrin has proved very effective in Diseases of the Throat and Lungs, to break Fevers and to cure Colds, and also as an internal antiseptic in Diarrhœa and Dyspepsia. In connection with proper dieting it will relieve Rheumatic Aches and Pains, frequently due to constipation. As a

Vaginal Douche in all cases of Vaginal Discharge and as an Enema in cases of Hemorrhoids, Rectal Ulcers and Constipation. In all diseases of the Nose, Throat, Bronchial Tubes and Lungs;" (bottle) "Salubrin \* \* \* will afford the most reliable protection against contagion. It is the best remedy for external injuries such as wounds \* \* \* even when blood poisoning has set in. It possesses remarkable curative properties in aches and in affections of the respiratory and digestive organs;" (circular) "\* \* \* Salubrin \* \* \* possesses the remarkable property of penetrating the tissues of the body and in many cases rendering harmless toxins and other poisonous substances produced by abnormal physiological conditions. A remedy of remarkable high value in cases of fatigue and overexertion. For the care of the skin, hair and teeth. For curing aches, burns, scalds, wounds and sores of all kinds. Salubrin has further proved to be of particular importance in the treatment of many dangerous diseases such as blood poisoning, coughs, stomach troubles and tubercular ulcers, and medical science has thru its discovery obtained a new and powerful means of combating disease. Directions For Use \* \* \* Salubrin has the property of neutralizing toxins, and if this remedy is applied after an injury or after exposure to cold, fatigue, etc., all danger may be removed. Blood Poisoning, Boils and Pimples, Catarrhs, Colds, Coughs, Consumption, Pneumonia, Asthma, \* \* \* effective not only for preventing consumption but even for checking the ravages of tubercle bacteria, Chills, Fever, La Grippe, Diphtheritic Croup, Diphtheria. In cases of running ear (chronic purulent otitis media) no remedy equals Salubrin for quick action and permanent cure. Erysipelas \* \* \* Numerous cases of chronically recurring Erysipelas of the face have been cured by this method. Overstrained and inflamed eyes are much benefited by treatment with Salubrin. Glands, swollen \* \* \* Barbers' Itch of the most stubborn character will be cured by the continued use of Salubrin. Headache and rheumatism, herpes, itch, scabies, poison ivy, poison oak, prickly heat, ringworm, shingles, skin diseases, eczema, milkblotch, pimples, acne, psoriasis, rash, salt rheum, tetter, stomach troubles, hemorrhoids, constipation, diarrhea, thrush, varicose veins. Woman's Troubles:—(A) For painful menstruation \* \* \* falling of the womb. (C) For neuralgic pains in vagina, or womb. Falling of the hair often follows upon confinement, but it is easily cured by treatment with Salubrin. Salubrin A \* \* \* Directions apply equally to Salubrin 'A' and Salubrin 'B' the medicinal efficiency the same in both."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that both preparations consisted essentially of alcohol, ethyl acetate, acetic acid, traces of aldehyde, and water. The product labeled "B" was perfumed.

Misbranding of the articles was alleged in substance in the libels for the reason that the aforesaid statements, concerning their curative and therapeutic effects, were false and fraudulent in that said products contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 8, 1919, The Salubrin Laboratory, Grand Crossing, Chicago, Ill., claimant, having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be delivered to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$150, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8462. Misbranding of Injection Zip. U. S. \* \* \* v. 42 Bottles, 9 Dozen Bottles, and 6 Dozen Bottles of Injection Zip. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10351, 10352, 10353. I. S. Nos. 7777-r, 7778-r, 7786-r. S. Nos. C-1224, C-1225, C-1230.)

On May 17, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 42 bottles, 9 dozen bottles, and 6 dozen bottles of Injection Zip, consigned by the Baker-Levy Chemical Co., Indianapolis, Ind., October 30, 1918, January 21, 1919, and October 29, 1918, respectively, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of zinc and lead, opium, and berberine, in alcohol and water.

Misbranding of the article was alleged in substance in the libel for the reason that the bottle label and accompanying circular bore and contained statements regarding the curative or therapeutic effect thereof, to wit, (bottle) "Injection Zip. \* \* \* This injection is an excellent preparation and cannot produce stricture. Relief being speedy. Shake the bottle," (circular) \* \* \* for Male or Female. To be used for Gonorrhœa, Gleet, and Leucorrhœa. \* \* \* For the Treatment of Gonorrhœa, Gleet, and Leucorrhœa for Male or Female. \* \* \* a tried preparation for the above diseases \* \* \*. Ladies troubled with Leucorrhœa (Whites) will obtain a speedy relief. \* \* \* will aid the most obstinate cases in from four to five days \* \* \*," which were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On September 19, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8463. Misbranding of H. G. C. U. S. \* \* \* v. 2½ Dozen Bottles of H. G. C. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10372. I. S. No. 7790-r. S. No. C-1251.)

On May 28, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2½ dozen bottles of an article of drugs, labeled in part "H. G. C. \* \* \* Manufactured by the Acme Chemical Mfg. Co., New Orleans, La.," consigned October 5, 1918, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of Louisiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, a liquid consisting of a yellow aqueous solution of berberine and borax, and a solid composed of magnesium sulphate.



Misbranding of the article was alleged in substance in the libel for the reason that the bottle label, carton, and accompanying circular bore certain statements regarding the curative or therapeutic effect of the article, to wit, (label) "H. G. C. A non poisonous injection for gonorrhœa and gleet \* \* \* For male and female use \* \* \* Does not cause pain or injury," (carton) "H. G. C. A safe and non poisonous injection for gonorrhœa and gleet in either sex. Non injurious injection for gonorrhœa and gleet for male and female," (circular) " \* \* \* For leucorrhœa and whites in females \* \* \* for catarrhal conditions, coryza, nasal catarrh, cold in the head, chronic catarrh of the head \* \* \* conjunctivitis, catarrh of the mucous membrane covering the inner surface of the eyelids \* \* \* Cystitis, inflammation of the bladder \* \* \* Hemorrhoids, piles \* \* \*. For ulcers and open sores it has antiseptic and healing qualities \* \* \*," which were false and fraudulent in that said drug contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that said product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On September 19, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8464. Adulteration of catsup. U. S. \* \* \* v. 195 Cases of Del Monte Tomato Catsup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10432. I. S. No. 15377-r. S. No. E-1392.)

On May 27, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 195 cases of Del Monte tomato catsup, remaining in the original unbroken cases at Norfolk, Va., alleging that the article had been shipped by the Utah Packing Corporation, Ogden, Utah, December 5, 1918, and transported from the State of Utah into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, that is to say, the said article contained and consisted in part of molds, yeasts, spores, bacteria, and molded tissue.

On December 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8465. Misbranding of B-I-F. U. S. \* \* \* v. 33 Cartons of Smaw's B-I-F Combination. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10535. I. S. No. 15845-r. S. No. E-1506.)

On June 10, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 33 cartons of Smaw's B-I-F Combination, remaining in the original unbroken packages at Berkley, Va., alleging that the article had been shipped by the W. H. Smaw Drug Co., Baltimore, Md., on or about May 6, 1919, and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, an emulsion for internal use and an injection. The emulsion consisted essentially of balsam of copaiba, oils of sandalwood and cassia, glycerin, and liquor potassæ. The injection consisted of zinc sulphate, opium, glycerin, phenol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing in the circulars accompanying the article, regarding the curative and therapeutic effects thereof, to wit, "Smaw's B-I-F Combination An emulsion An injection Is an old and well known treatment for Gonorrhea (Clap), Gleet, Leucorrhea (Whites) and other complaints due to inflammation or Debility of the Urinary Organs," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On December 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8466. Adulteration of sauerkraut. U. S. \* \* \* v. 100 Cases of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10590. I. S. No. 11918-r. S. No. C-1294.)**

On June 16, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases of Silver Cloud Brand sauerkraut, at Cleveland, Ohio, alleging that the article had been shipped by H. N. Weller & Co., Richmond, Mich., on or about April 30, 1919, and transported from the State of Michigan into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8467. Misbranding of Planters Golden Crown Special. U. S. \* \* \* v. 12 Dozen Bottles of Planters Golden Crown Special. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10742. I. S. No. 16535-r. S. No. E-1618.)**

On July 9, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Planters Golden Crown Special, remaining in the original packages at Macon, Ga., alleging that the article had been shipped by the Planter Medicine Co., Baltimore, Md., on or about April 29, 1919, and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oil of cassia, methyl salicylate, copaiba, alkaloids of sanguinaria, ethyl nitrite, water, and 45.6 per cent by volume of alcohol.

Misbranding of the article was alleged in the libel for the reason that the statement appearing on the bottle, to wit, "Alcohol 20%," was false and mislead-

ing. Misbranding was alleged for the further reason that the package containing the article failed to bear a statement on the label of the quantity or proportion of alcohol contained therein. Misbranding was alleged in substance for the further reason that the following statements appearing on the carton and label of the bottle containing the article and in the accompanying circular, regarding the curative and therapeutic effects thereof, to wit, (carton) "Planters Golden Crown Special for Gonorrhœa, Gleet and Diseases of a Similar Character; Also to be Used As a Preventative \* \* \*," (bottle) "Planters Golden Crown Special for Gonorrhœa, Gleet," (circular) " \* \* \* A Safe and Reliable Medicine for Gonorrhœa, Gleet and Diseases of a Similar Character. \* \* \* for Kidney Troubles, Stone in the Bladder and all aching and painful sensations in the small of the back. \* \* \* It will prevent stricture," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S468. Misbranding of B-I-F. U. S. \* \* \* v. 5 $\frac{1}{2}$  Dozen Bottles of B-I-F. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10804. I. S. No. 15528-r. S. No. E-1596.)**

On or about July 10, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 $\frac{1}{2}$  dozen bottles of B-I-F, remaining in the original unbroken packages at Berkley, Va., alleging that the article had been shipped by the W. H. Smaw Drug Co., Baltimore, Md., on or about May 24, 1919, and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, an emulsion containing balsam of copaiba, oil of cassia, and glycerin, and an injection composed essentially of zinc sulphate, opium, glycerin, a small amount of phenol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing in the circulars accompanying the article, regarding the curative and therapeutic effects thereof, to wit, "Smaw's F-I-F Combination An Emulsion An Injection Is an old and well known treatment for Gonorrhœa (Clap), Gleet, Leucorrhœa (Whites) and other complaints due to inflammation or Debility of the Urinary Organs \* \* \*," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On December 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S469. Misbranding of The Crossman Mixture. U. S. \* \* \* v. 42 Bottles of The Crossman Mixture. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10860. I. S. No. 16534-r. S. No. E-1617.)**

On July 12, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and



condemnation of 42 bottles of The Crossman Mixture, remaining unsold in the original packages at Macon, Ga., alleging that the article had been shipped by Wright's Indian Vegetable Pill Co., New York, N. Y., on or about May 15, 1919, and transported from the State of New York into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, oils of lemon, spearmint, and cassia, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements regarding the curative and therapeutic effects thereof, to wit, (wrapper and bottle label) "Recommended for the treatment not only of the active stages of simple Urethritis and of Gonorrhea, but especially of subacute and chronic conditions, as Gleet," (circular) " \* \* \* For Treatment of Gonorrhea and Gleet \* \* \* A cure \* \* \* destroying all the germs of the disease \* \* \* tending to prevent the complications and attending dangers \* \* \*," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8470. Misbranding of Milks Emulsion. U. S. \* \* \* v. 14 Dozen Bottles, 4 Ounces Each, 10 Dozen Bottles, 8 Ounces Each, 18 Dozen Bottles, 4 Ounces Each, and 9 Dozen Bottles, 8 Ounces Each, of Milks Emulsion. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11192, 11193. I. S. Nos. 2998-r, 3000-r. S. Nos. W-488, W-489.)**

On or about September 22, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 dozen bottles, 4 ounces each, 10 dozen bottles, 8 ounces each, 18 dozen bottles, 4 ounces each, and 9 dozen bottles, 8 ounces each, of Milks Emulsion, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Milks Emulsion Co., Terre Haute, Ind., on May 21, June 12, June 3, and June 27, 1919, respectively, and transported from the State of Indiana into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cartons, both sizes) "A valuable remedy for Dyspepsia, Indigestion, Catarrh of the Stomach and Bowels \* \* \* Coughs due to Sore Throat, Bronchitis or Pneumonia, Incipient consumption, Bronchial Asthma, Catarrhal Croup: \* \* \* strengthens the digestive organs, \* \* \* enriching the blood and increasing the flesh. It gives relief in curable Throat, Lung, Stomach, and Bowel Troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. Is very beneficial in incipient consumption, \* \* \* Coughs due to Sore Throat, Bronchitis or Pneumonia, Bronchial Asthma, Dyspepsia, Indigestion, Catarrh of the Stomach and Bowels, \* \* \* Especially Beneficial in the Ills of Children. It builds up their system, enriches their blood, improves the appetite, strengthens the throat, lungs and stomach, \* \* \* Relieves catarrhal croup, and \* \* \* will prevent it. \* \* \*;" (booklet accompanying both sizes) "Consumption \* \* \* in the treatment of tuberculosis of

the lungs, \* \* \*. Milks Emulsion contains a great amount of fat, \* \* \* Milks Emulsion will start the accumulation of pus from the cavities \* \* \* in ten to twenty-four hours. \* \* \* the stomach and bowels put in a good healthy condition, thus enabling the patient to digest and assimilate his food, thereby building up the blood and tissue \* \* \* combat the weakening effect of tuberculosis \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum, with small amounts of glycerin, sirup, and essential oils.

Misbranding of the article was alleged in substance in the libel for the reason that the statement in the labeling thereof, "Milks Emulsion contains a great amount of fat," was false and misleading since said drugs contained no fat. Misbranding was alleged in substance for the further reason that the therapeutic effects claimed for said drugs on the cartons and in the booklet aforesaid were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 10, 1919, the Milks Emulsion Co., Terre Haute, Ind., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**S471. Adulteration of oysters. U. S. \* \* \* v. Benjamin J. Rooks (Benjamin J. Rooks & Son). Plea of nolo contendere. Fine, \$30. (F. & D. No. 11999. I. S. Nos. 12810-r, 12811-r.)**

At the May, 1920, term of court, within and for the District of Rhode Island, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against Benjamin J. Rooks, trading as Benjamin J. Rooks & Son, Providence, R. I., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 13 and 14, 1919, from the State of Rhode Island into the State of Massachusetts, of quantities of oysters which were adulterated.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the oysters had been soaked with water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On June 18, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

**S472. Misbranding of cottonseed meal. U. S. \* \* \* v. Valley Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12002. I. S. No. 7090-r.)**

On April 20, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Valley Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 26, 1918, from the State of Tennessee into the State of Illinois, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 36.4 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein 38.6 per ct.," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 38.6 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 38.6 per cent of protein, whereas, in truth and in fact, the article contained less than 38.6 per cent of protein.

On June 5, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture*.

**8473. Misbranding of National Hog Remedy. U. S. \* \* \* v. 3 Sacks of National Hog Remedy. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12063. I. S. No. 8381-r. S. No. C-1672.)

On January 3, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 sacks, 100 pounds each, of National hog remedy, at St. Martin, Ohio, consigned by the National Live Stock Remedy Co., from Gresham, Ill. July 12, 1919, alleging that the article had been transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (directions in sack) " \* \* \* National Hog Remedy \* \* \* Swine Plague \* \* \* can be prevented by the use of National Hog Remedy \* \* \*," (on sack " \* \* \* National Hog Powders made only by National Live Stock Remedy Co., Chicago, Ill. \* \* \*").

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sodium sulphate, ferrous sulphate, charcoal, sulphur, and sand.

Misbranding of the article was alleged in substance in the libel for the reason that its package and label bore and contained statements, regarding the curative or therapeutic effect of the article, which were false and fraudulent in that it contained no ingredients or combination of ingredients capable of producing the effects claimed in and upon the direction sheets, labels, and sacks, as hereinbefore set forth, and in that the article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended.

On June 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture*.

**8474. Adulteration and misbranding of vanilla and vanillin. U. S. \* \* \* v. 140 Bottles of Mothers Brand Vanilla and Vanillin. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12069. I. S. No. 9634-r. S. No. C-1683.)

On January 14, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and con-



condemnation of 140 bottles of an article, labeled in part "Mothers Brand Pure Vanilla and Vanillin \* \* \* The National Food Mfg. Co. St. Louis, U. S. A: 2½ Ounces," consigned by said company from East St. Louis, Ill., July 23, 1919, remaining unsold at Piqua, Ohio, alleging that the article had been transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that coumarin had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the article, and for the further reason that the article was artificially colored in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the following statements appearing on the label, "Pure Vanilla and Vanillin Guaranteed Fine Quality" and "Pure Flavor of Vanilla and Vanillin," not corrected by qualifying statements, were false and misleading and deceived and misled purchasers; for the further reason that said article was an imitation of, and sold and offered for sale under the distinctive name of, another article; and for the further reason that it was food in package form, and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On June 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8475. Misbranding of Hien Fong. U. S. \* \* \* v. 300 Dozen Bottles. More or Less, of Hien Fong. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12070. I. S. No. 8628-p. S. No. C-1679.)**

On January 12, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 dozen bottles (37½ dozen \$1.15 size, 153½ dozen 60-cent size, and 108 dozen 30-cent size) of Hien Fong remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Knorr Medical Co., Detroit, Mich., on or about September 6, 1919, and transported from the State of Michigan into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (bottle) "Contains Not Over 55% Grain Alcohol," (wrapper) "Cholera Morbus, Indigestion and Sore Throat, and as a prophylactic in suspected cases of Croup and Diphtheria \* \* \* Summer Complaint, Neuralgia, Catarrh, Grippe \* \* \* Tonsillitis \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of water, ether, oil of mint, resinous plant extractives, and 43.4 per cent by volume of alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the label as to the alcoholic content of said article was false and misleading, and for the further reason that the label failed to bear a statement as to the quantity or proportion of alcohol contained therein. Misbranding was alleged in substance for the further reason that the above-quoted statements, regarding the curative and therapeutic effect of the article for the treatment of cholera morbus, indigestion, sore throat, as a prophylactic in suspected cases of croup and diphtheria, for summer complaint, neuralgia, catarrh, grippe, and tonsillitis, were false and fraudulent, as it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 15, 1920, the Knorr Medical Co., Detroit, Mich., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8476. Adulteration of tomato catsup. U. S. \* \* \* v. 195 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12123. I. S. Nos. 8694-r, 11289-r. S. No. C-1697.)

On or about January 29, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 195 cases of tomato catsup, at Lincoln, Nebr., alleging that the article had been shipped by Libby, McNeill & Libby, having a place of business at Manzanola, Colo., on or about October 18, 1918, and transported from the State of Colorado into the State of Nebraska, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Maple Brand Tomato Ketchup. Prepared expressly for hotel and restaurant trade."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On May 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8477. Adulteration of tomato catsup. U. S. \* \* \* v. 93 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12124. I. S. No. 12580-r. S. No. E-1944.)

On January 30, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 93 cases of tomato catsup, remaining unsold in the original unbroken packages at New London, Conn., alleging that the article had been shipped by Thomas Page, Albion, N. Y., on or about October 22, 1919, and transported from the State of New York into the State of Connecticut, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Royal Kitchen Brand Tomato Catsup Packed by Thomas Page, Albion, N. Y."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of filthy, putrid, and decomposed vegetable matter.

On April 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8478. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 1,098 Cases of Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 12137. I. S. Nos. 2-r, 9-r. S. No. E-1959.)

On February 5, 1920, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 1,098 cases of tomatoes, consigned on or about October 27, 1919, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by Charles Webster, East New Market, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Rose Hill Brand Tomatoes Packed by Chas. Webster, East New Market, Md."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with, and substituted wholly or in part for, tomatoes.

Misbranding was alleged in substance for the reason that the package or label of the article bore statements, designs, and devices regarding the article or the ingredients or substance contained therein, to wit, "Rose Hill Brand Tomatoes," and cut or design of a whole ripe tomato, which were false and misleading and deceived and misled the purchaser, and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another and different article.

On April 5, 1920, the United Grocers' Co., Brooklyn, N. Y., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,200, in conformity with section 10 of the act, conditioned in part that the goods be relabeled under the supervision of this department by adding to the labels on each can, by stamp or sticker, the phrase "Packed with 10% added water."

E. D. BALL, *Acting Secretary of Agriculture.*

**8479. Adulteration and misbranding of Pepso-Laxatone. U. S. \* \* \* v. 40 Bottles of Pepso-Laxatone. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12145; I. S. No. 7874-r. S. No. C-1657.)**

On February 12, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 bottles of Pepso-Laxatone, consigned by the Burlingame Chemical Co., Los Angeles, Calif., October 14, 1919, remaining unsold in the bottles at Cincinnati, Ohio, alleging that the article had been transported from the State of California into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pepso-Laxatone \* \* \* An efficient combination of agents used for the relief of \* \* \* gastric disorders and indigestion \* \* \* Burlingame Chemical Company, Los Angeles."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained not more than a trace, if any, of diastase and of pancreatin.

Adulteration of the article was alleged in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold, since it contained not more than a trace, if any, [of] diastase and pancreatin.

Misbranding was alleged in substance for the reason that the statement regarding the ingredients contained in the bottles, on the label of the bottles, were false and misleading, and for the further reason that the statement regarding its curative and therapeutic effects, "an efficient combination of agents for



\* \* \* gastric disorders and indigestion," was false and fraudulent in that said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On May 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8480. Misbranding of olive oil. U. S. \* \* \* v. 3 Cases of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10416. I. S. No. 12924-r. S. No. E-1441.)**

On May 21, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of olive oil, consigned by the Union Olive Oil Co., New York, N. Y., March 5, 1919, remaining in the original and unbroken packages at Boston, Mass., alleging that the article had been transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Olive Oil Lemnos Brand \* \* \* N. S. Monahos \* \* \* New York."

Examination of a representative sample consisting of 33 cans showed an average content of 0.961 gallon, or a shortage in the quantity of contents of 3.9 per cent.

Misbranding of the article was alleged in substance in the libel for the reason that the statement appearing on the cans containing the article, "Net Contents One Gallon," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the said olive oil was food in package form, and the quantity of the contents was not declared.

On May 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8481. Misbranding of Mowerys Gonorrhœa Paste. U. S. \* \* \* v. 60 Boxes of Mowerys Gonorrhœa Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10439. I. S. No. 15741-r. S. No. E-1460.)**

On May 26, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 25, 1919, an amended libel, for the seizure and condemnation of 60 boxes of Mowerys Gonorrhœa Paste, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Binkley Medicine Co., Dayton, Ohio, on or about December 17, 1918, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of powdered cubebs, copaiba balsam, alum, and magnesia.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the wrapper and box label, and in the accompanying circular, regarding the curative and therapeutic effects thereof, to wit, (wrapper) "Mowerys Gonorrhœa Paste A highly valuable and efficient

preparation for the treatment of Gonorrhœa, Gleet, Clap and all discharges peculiar to the urinary organs of no matter how long standing. \* \* \* This preparation is highly valuable in cases of Kidney and Bladder trouble. It will relieve those sharp shooting pains when urinating," (box) "Mowerys Gonorrhœa Paste for man or woman \* \* \*," (circular) " \* \* \* for the treatment of Gonorrhœa, Gleet, Clap and all discharges peculiar to the urinary organs, either acute or chronic. \* \* \* allays irritation or inflammation of the urethra. \* \* \* will be found valuable in cases of Kidney, Bladder and Urinary Troubles; such as highly colored urine, brick dust in urine, stoppage of urine; thick, sluggish or scanty urine, blood or mucous in urine. It also relieves pain or soreness in back when caused by the above disorders. \* \* \*," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8482. Misbranding of "3 Days" Cure for Men. U. S. \* \* \* v. 5 Dozen Bottles of "3 Days" Cure for Men and 60 Envelopes \* \* \* Capsules, and 3½ Dozen Bottles of "3 Days" Cure for Men and 39 Envelopes \* \* \* Capsules. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10521, 10522. I. S. Nos. 16393-r, 16390-r. S. Nos. E-1511, E-1499.)

On June 7, 1919, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 5 dozen bottles of "3 Days" Cure for Men and 60 envelopes of capsules, at Greensboro, N. C., and 3½ dozen bottles of "3 Days" Cure for Men and 39 envelopes of capsules, at Charlotte, N. C., remaining in the original unbroken packages, alleging that the articles had been shipped by the "3 Days" Cure Co., Washington, D. C., on or about February 14, 1919, and October 18, 1918, respectively, and transported from the District of Columbia into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the contents of the bottles taken from each shipment consisted essentially of zinc sulphate and borax, and zinc sulphate, borax, and thymol, respectively, and that the contents of the capsules consisted of powdered cubebs and copaiba.

Misbranding of the articles was alleged in substance in the libels for the reason that certain statements appearing on the wrapper and bottle label, and in the accompanying circular, regarding the curative and therapeutic effects thereof, to wit, (wrapper) "The '3 Days' Cure for Men, a prompt and reliable remedy for Gonorrhœa and Gleet. Combines internal and local treatment, suited to all cases. Can never do harm. \* \* \*," (bottle) "The '3 Days' Cure for Men. \* \* \*," (circular) " \* \* \* This treatment applies to other forms of inflammation with discharge which may appear in the urethral canal, \* \* \*," were false and fraudulent in that the articles contained no ingredients or combination of ingredients capable of producing the effects claimed.

On February 6, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8483. Adulteration of gelatin. U. S. \* \* \* v. 10 Barrels of Gelatin Matter. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 10807. I. S. No. 13958-r. S. No. E-1591.)

On July 3, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 barrels of gelatin matter, at Albany, N. Y., alleging that the article had been shipped by the J. O. Whitten Co., Boston (Winchester), Mass., February 8, 1919, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained added poisonous and deleterious ingredients, to wit, excessive amounts of arsenic and copper, which rendered said product injurious to health and unfit and dangerous for human consumption.

On October 20, 1919, the J. O. Whitten Co., Winchester, Mass., having filed a claim for the property without denying any material allegation in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8484. Misbranding of Milks Emulsion. U. S. \* \* \* v. 7 Dozen Bottles of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11331. I. S. No. 15114-r. S. No. E-1767.)

On September 30, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen bottles of Milks Emulsion, remaining unsold at Bloomsburg, Pa., alleging that the article had been shipped by the Milks Emulsion Co., Terre Haute, Ind., on or about May 6, 1919, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum with small quantities of glycerin, sirup, and methyl salicylate. The quantity of the contents was 9.8 ounces.

Misbranding of the article was alleged in substance in the libel for the reason that the statement in the booklet pertaining to and accompanying the article, namely, "Milks Emulsion contains a great amount of fat," was false and misleading for the reason that the article contained no fat. Misbranding was alleged for the further reason that the statement appearing on the cartons containing the article, to wit, "Net weight twelve ounces," was false and misleading inasmuch as the quantity of the contents of each of the bottles was 9.8 ounces. Misbranding was alleged for the further reason that the bottle label contained the following statements, regarding the curative and therapeutic effects of the article, to wit, "A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels \* \* \* bronchial asthma, catarrhal croup, bronchitis \* \* \* especially beneficial in incipient consumption," which were false and fraudulent, inasmuch as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.



On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S485. Misbranding of Texas Wonder. U. S. \* \* \* v. 3 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11370. I. S. No. 2918-r. S. No. W-509.)

On September 29, 1919, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Texas Wonder, remaining in the original and unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about May 31, 1919, and transported from the State of Missouri into the State of Utah, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "A Texas Wonder. E. W. Hall, St. Louis, Mo." (carton) "\* \* \* The Texas Wonder for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (circular) "\* \* \* Rheumatism and Kindred Diseases," (testimonial of Louis A. Portner) "\* \* \* began using the Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys \* \* \* His urine contained 40% pus \* \* \* was still using the medicine with wonderful results, and his weight had increased \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the bottle and carton and in the accompanying circular, regarding the curative and therapeutic effect, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 26, 1920, no claimant having appeared for the property, judgment by default was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S486. Misbranding of Milks Emulsion. U. S. \* \* \* v. 4½ Dozen Large Bottles and 6 Dozen Small Bottles of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11372. I. S. No. 15115-r. S. No. E-1773.)

On September 30, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4½ dozen large bottles and 6 dozen small bottles of Milks Emulsion, remaining unsold at Williamsport, Pa., alleging that the article had been shipped by the Milks Emulsion Co., Terre Haute, Ind., on or about February 13, 1919, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act.

Examination and analysis of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum with small quantities of glycerin, sirup, and methyl salicylate, and that the quantity of the contents of the small bottles was 8.55 ounces and 9 ounces, respectively.

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the cartons containing the small bottles of the article, to wit, "Net weight twelve ounces," was false and misleading inasmuch as the quantity of the contents of each of the bottles was from 8.55 to 9 ounces; for the further reason that the statement in the booklet pertaining to and accompanying the article, namely, "Milk Emulsion contains a great amount of fat," was false and misleading since the article contained no fat; and for the further reason that the bottle label contained certain statements regarding the curative and therapeutic effects of the article, to wit, "A valuable remedy for dyspepsia, indigestion, catarrh of stomach and bowels \* \* \* bronchial asthma, catarrhal croup, bronchitis \* \* \* especially beneficial in incipient consumption," which were false and fraudulent inasmuch as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8487. Adulteration of salmon. U. S. \* \* \* v. 721 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 11526. I. S. Nos. 8188-r, 6567-r. S. No. C-1604.)

On November 25, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 721 cases, each containing 4 dozen cans of salmon, at Chicago, Ill., alleging that the article had been shipped by Libby, McNeill & Libby, from Minneapolis, Minn., April 12, 1919, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Libby's Red Alaska Salmon."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 13, 1920, Libby, McNeill & Libby, Chicago, Ill., claimant, having admitted the material allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article be sorted under the supervision of a representative of this department, the bad portion to be destroyed by the United States marshal and the good portion to be delivered to said claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

**8488. Misbranding of peaches (in baskets). U. S. \* \* \* v. Dalton B. Anderson. Plea of guilty. Fine, \$5 and costs.** (F. & D. No. 11992. I. S. No. 9101-r.)

On April 19, 1920, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dalton B. Anderson, Ozark, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 26, 1919, from the State of Arkansas into the State of Illinois, of a quantity of an article, billed as peaches, which was misbranded. The article bore no label.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 29, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8489. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$100. (F. & D. No. 11993. I. S. No. 11929-r.)**

On July 30, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 3, 1919, from the State of New York into the State of Ohio, of a quantity of olive oil which was misbranded. The article was labeled in part, "Monaho's Olio di Oliva Puro Termini Imerese."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Gallon," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained 1 gallon net of the article, whereas, in truth and in fact, each of the cans did not contain 1 gallon net, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 18, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**8490. Adulteration of butter. U. S. \* \* \* v. 65 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11057. I. S. No. 7733-r. S. No. C-1409.)**

On or about August 26, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 65 tubs of butter, at Troy, N. Y., alleging that the article had been shipped by the R. E. Cobb Co., St. Paul, Minn., July 28, 1919, and transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that the article was deficient in butter fat and contained an excess of moisture.

On October 29, 1919, the R. E. Cobb Co., St. Paul, Minn., claimant, having entered an appearance without denying or contraverting the material allegation of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*



**8491. Misbranding of cracked cottonseed feed. U. S. \* \* \* v. Planters Oil Co., a Corporation. Judgment of guilty. Fine, \$25 and costs. (F. & D. No. 11125. I. S. No. 10836-r.)**

On December 29, 1919, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Planters Oil Co., a corporation, Hearne, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 3, 1918, from the State of Texas into the State of Kansas, of 600 sacks, more or less, of an article, labeled in part "100 Pounds (net) Cracked Cotton Seed Feed Number Four," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the protein content was 40.55 per cent. Examination of 61 sacks showed an average net weight of 95.39 pounds.

Misbranding of the article was alleged in substance in the information for the reason that certain statements appearing on the label, to wit, "Protein not less than 41.20 Per Cent" and "100 Pounds (Net)," were false and misleading in that they represented to purchasers of the article that it contained not less than 41.20 per cent of protein, and that each sack of the article contained not less than 100 pounds of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not less than 41.20 per cent of protein, and that each sack of the same contained not less than 100 pounds of the article, whereas, in fact and in truth, it contained less than 41.20 per cent of protein, and each sack of the article contained less than 100 pounds thereof. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly or conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On February 23, 1920, the defendant, having conceded a violation of the law, was adjudged guilty, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8492. Adulteration of raisins. U. S. \* \* \* v. 120 Cases of Raisins. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11149. I. S. No. 2047-r. S. No. W-474.)**

On or about August 29, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 120 cases of raisins, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Rosenberg Bros. & Co., San Francisco, Calif., on or about May 21, 1919, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sand had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S493. Misbranding of Dr. Sanger's Capsules. U. S. \* \* \* v. 15 Packages and 24 Packages of Dr. Sanger's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11170, 11171. I. S. Nos. 13122-r, 13123-r. S. Nos. E-1691, E-1692.)**

On September 8, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information for the seizure and condemnation of 15 packages and 24 packages of Dr. Sanger's Capsules, at Boston, Mass., consigned by Edward J. Moore Sons (Inc.), New York, N. Y., on or about April 13, and June 2, 1919, respectively, alleging that the article had been transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Dr. Sanger's Capsules \* \* \* Sanger & Company, Manufacturing Chemists, New York, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of cubeba, copaiba, santal oil, matico, a salt of iron, and magnesia.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements appearing in the labeling, regarding the curative and therapeutic effects thereof, to wit, (carton) "Dr. Sanger's Capsules for Diseases of the Urinary Organs and Bladder \* \* \*," (booklet) " \* \* \* for diseases pertaining to the mucous membranes \* \* \* Their healing qualities act upon the mucous membranes \* \* \* Cystitis \* \* \* Cystirrhoea or Catarrh of the Bladder \* \* \* Retention of Urine \* \* \* Leucorrhoea \* \* \*," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On May 10, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S494. Adulteration of oysters. U. S. \* \* \* v. George T. Greene, Jr. Plea of guilty. Fine, \$10. (F. & D. No. 11434. I. S. No. 12694-r.)**

At the November, 1919, term of the District Court of the United States within and for the District of Rhode Island, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against George T. Greene, Jr., Warren, R. I., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 14, 1919, from the State of Rhode Island into the State of Massachusetts, of a quantity of oysters which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that water had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be.

On January 6, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**S495. Adulteration of oysters. U. S. \* \* \* v. Planters Trading Co., Inc., a Corporation. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 11447. I. S. No. 13385-r.)**

On August 10, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court

of the United States for said district an information against the Planters Trading Co. (Inc.), a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1919, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On August 11, 1920, a plea of *nolo contendere* was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8496. Adulteration of fava beans. U. S. \* \* \* v. 147 Sacks of Fancy California Fava Beans. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 11507. I. S. No. 2945-r. S. No. W-529.)

On November 1, 1919, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure of 147 sacks of fancy California fava beans, remaining in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped by Adolph Koshland, San Mateo, Calif., in interstate commerce, on or about October 29, 1919, consigned to New York, N. Y., and seized en route to its destination at Ogden, Utah, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy and decomposed or putrid vegetable substance, the excreta and other refuse of insects.

On April 30, 1920, Adolf Koshland, San Francisco, Calif., claimant, having entered an appearance, a decree was entered adjudging the facts contained in the libel to be true and ordering the release of the product upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the article be sorted and repicked under the supervision of a representative of this department, and that only such portion as might be approved by this department be disposed of.

E. D. BALL, *Acting Secretary of Agriculture.*

**8497. Misbranding of Dr. Harper's Anti Cholera Tonic. U. S. \* \* \* v. 10 Dozen Packages of Drugs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11562. I. S. No. 9187-r. S. No. C-1652.)

On or about January 3, 1920, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen packages of drugs, labeled in part "Dr. Harper's Anti-Cholera Tonic," at Tupelo, Miss., alleging that the article had been shipped by the Elite Chemical Co., Watertown, Tenn., April 10, 1919, and transported from the State of Tennessee into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a powdered mixture of baking soda, sulphur, iron oxid, sodium sulphate, and vegetable material, including fragments of seeds and hulls.



Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the cartons containing the article and in the accompanying circular, regarding the curative and therapeutic effects thereof, to wit, (carton) "Dr. Harper's Anti-Cholera Tonic for Hogs Given to Prevent Diseases of Swine For Worms \* \* \*," (circular) "How to prevent hog cholera. About every other day give to each hog a tablespoonful of Dr. Harper's Anti cholera \* \* \* In most cases acts as a preventive to disease \* \* \* Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease," were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 28, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8498. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 330 Dozen No. 3 Cans and 150 Dozen No. 2 Cans of Love Apple Brand Tomatoes. Product ordered released on bond. (F. & D. No. 11570. I. S. No. 9086-r. S. No. E-1908.)**

On or about December 27, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 330 dozen No. 3 cans and 150 dozen No. 2 cans of tomatoes, at Walnut Ridge, Ark., consigned on or about October 3, 1919, alleging that the article had been shipped by A. W. Sisk & Son, North Wales, Md., and transported from the State of Maryland into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Love Apple Brand Tomatoes Packed by W. J. Wright & Sons, North Wales, Md."

Adulteration of the article was alleged in substance in the libel for the reason that tomato pulp had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged in substance for the reason that the label bore statements, designs, and devices regarding the article and the ingredients contained therein, to wit, "Love Apple Brand \* \* \* Tomatoes" (cut showing ripe tomatoes), which were false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On September 27, 1920, A. W. Sisk & Son, North Wales, Md., having filed a claim for the goods, judgment was entered ordering the release of the product to said claimant upon payment of the costs of the proceeding and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the goods be relabeled.

E. D. BALL, *Acting Secretary of Agriculture.*

**8499. Adulteration of oysters. U. S. \* \* \* v. Eddie D. Blount. Plea of nolo contendere. Fine, \$15. (F. & D. No. 11596. I. S. Nos. 12837-r, 13503-r, 13504-r.)**

On March 9, 1920, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Eddie D. Blount, Warren, R. I., alleging shipment by said defendant, in violation of the Food and

Drugs Act, on or about March 14, 1919, from the State of Rhode Island into the State of Massachusetts, and on or about March 14 and March 15, 1919, from the State of Rhode Island into the State of New York, of quantities of oysters which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the product contained added water.

Adulteration of the article was alleged in the information for the reason that water had been substituted in whole or in part for oysters, which the article purported to be, and for the further reason that water had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength.

On March 15, 1920, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$15.

E. D. BALL, *Acting Secretary of Agriculture*.

**8500. Misbranding of W. F. Gray's Genuine Ointment. U. S. \* \* \* v. 396 Packages of W. F. Gray's Genuine Ointment. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11026. I. S. No. 7305-r. S. No. C-1390.)**

On July 28, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 396 packages of W. F. Gray's Genuine Ointment, consigned by W. F. Gray & Co., Nashville, Tenn., July 2, 1919, alleging that the article had been transported from the State of Tennessee into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Package) " \* \* \* Gray's Invaluable Genuine Ointment, Prepared and Signed by W. F. Gray, Nashville, Tenn. \* \* \* For boils and sores of all kinds, \* \* \*;" (carton) "For burns, scalds, rheumatism \* \* \*, poisonous plants, broken breasts, sore nipples and carbuncles \* \* \* fistula \* \* \* injured spine, swelling of all kinds, \* \* \* sore throat \* \* \*;" (circular) "For the relief of \* \* \* Ulcers of long or short standing \* \* \* Scrofulous and other Tumors including White Swellings \* \* \* Old or Fresh Wounds, Gunshot Wounds \* \* \* Swellings and inflammations of all kinds, Rheumatic and other pains \* \* \* Scald Head, Tetter on the head or any other part of the body \* \* \* Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds \* \* \* Dog, Snake, Spider, and other Poisonous Bites \* \* \* Sore Eyes \* \* \* Pleurisy and Pneumonia \* \* \* Splint, Wind Galls \* \* \* In early stages of inflammatory rheumatism and soreness about the breast \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of lead oxid and acetate in a base composed of animal fat, linseed oil, beeswax, and traces of turpentine.

Misbranding of the article was alleged in substance in the libel for the reason that the package and label thereof bore and contained certain statements, regarding the curative or therapeutic effect thereof, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed in and upon the circulars and cartons as hereinbefore set forth, and in that the article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended.

On March 24, 1920, W. F. Gray & Co., Nashville, Tenn., claimant, having admitted the facts set forth in the libel and consented to a decree, judgment

of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the article be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*



# INDEX TO NOTICES OF JUDGMENT 8451 TO 8500.

	N. J. No.		N. J. No.
Acetanilid and salol tablets. <i>See</i>		Hypodermic tablets. <i>See</i> Tablets.	
Tablets.		Injection Zip:	
Acetphenetidm and salol tablets. <i>See</i>		Baker-Levy Chemical Co.---	8460,
Tablets.			8462
Alfalfa meal. <i>See</i> Feed.		Mendenhall's No. 40:	
Beans, fava:		Mendenhall, J. C., Medicine	
Koshland, Adolph -----	8496	Co.-----	8455
B-I-F:		Milks Emulsion:	
Smaw, W. H., Drug Co.---		Milks Emulsion Co.-----	8470,
	8465, 8468		8481, 8486
Butter:		Morphine sulphate tablets. <i>See</i> Tab-	
Cobb, R. E., Co.-----	8490	lets.	
Capsules, Sanger's, Dr.:		Mowerys Gonorrhœa Paste:	
Moore, E. J., Sons.-----	8493	Binkley Medicine Co.-----	8481
Catsup. <i>See</i> Tomato catsup.		National Hog Remedy:	
Codcine sulphate tablets. <i>See</i> Tab-		National Live Stock Rem-	
lets.		edy Co.-----	8473
Cottonseed feed. <i>See</i> Feed.		Oil, olive:	
meal. <i>See</i> Feed.		Economou, N. P., & Theo-	
Cracked cottonseed feed. <i>See</i> Feed.		dos.-----	8452
Crossman Mixture:		Monahos, N. S.-----	8458, 8489
Wright's Indian Vegetable		Union Olive Oil Co.-----	8480
Pill Co.-----	8469	table:	
Emulsion, Milks:		Crisafulli Bros.-----	8451
Milks Emulsion Co.-----	8470,	Ointment, Gray's:	
	8484, 8486	Gray, W. F., & Co.-----	8500
Extract, vanilla and vanillin:		Olive oil. <i>See</i> Oil.	
National Food Mfg. Co.---	8474	Oysters:	
Fava beans. <i>See</i> Beans.		Blount, Eddie D.-----	8499
Feed, alfalfa meal:		Greene, George T., jr.---	8494
Crown Feed Co.-----	8457	Planters Trading Co.-----	8495
North Bros.-----	8459	Rooks, Benj., & Son.-----	8471
cottonseed, cracked:		Peaches:	
Planters Oil Co.-----	8491	Anderson, Dalton B.-----	8488
cottonseed meal:		Pepso-Laxatone:	
Valley Cotton Oil Co.-----	8472	Burlingame Chemical Co.--	8479
Fish, salmon:		Planters Golden Crown Special:	
Libby, McNeill & Libby.---	8487	Planter Medicine Co.-----	8467
Gelatin:		Raisins:	
Whitten, J. O., Co.-----	8483	California Associated Raisin	
Golden Crown Special:		Co.-----	8456
Planter Medicine Co.-----	8467	Rosenberg Bros. & Co.---	8492
Gonorrhœa paste:		Remedy, hog:	
Binkley Medicine Co.-----	8481	National Live Stock Rem-	
Gray's, W. F., Genuine Ointment:		edy Co.-----	8473
Gray, W. F., & Co.-----	8500	S. O. S.:	
H. G. C.:		Pfeiffer, S., Mfg. Co.-----	8454
Acme Chemical Mfg. Co.---	8463	Salmon. <i>See</i> Fish.	
Harper's, Dr., Anti Cholera Tonic:		Salubrin:	
Elite Chemical Co.-----	8497	Salubrin Laboratory.-----	8461
Hien Fong:		Sanger's, Dr., Capsules:	
Knorr Medical Co.-----	8475	Moore, E. J., Sons.-----	8493
Hog cholera tonic:		Sauerkraut:	
Elite Chemical Co.-----	8497	Weller, H. N., & Co.-----	8466
remedy:		Table oil. <i>See</i> Oil.	
National Live Stock Rem-			
edy Co.-----	8473		

	N. J. No.		N. J. No.
Tablets, acetanilid and salol:		" 3 Days " Cure for Men:	
Bowman, Mell & Co-----	8453	" 3 Days " Cure Co-----	8482
acetphenetidin and salol:		Tomato catsup:	
Bowman, Mell & Co-----	8453	Libby, McNeill & Libby-----	8476
codeine sulphate:		Page, Thomas-----	8477
Bowman, Mell & Co-----	8453	Utah Packing Corp-----	8464
hypodermic:		Tomatoes:	
Bowman, Mell & Co-----	8453	Sisk, A. W., & Sou-----	8498
morphine sulphate:		Webster, Chas-----	8478
Bowman, Mell & Co-----	8453	Vanilla and vanillin, <i>See</i> Extract.	
Texas Wonder:			
Hall, E. W-----	8485		















